

URBAN/MUNICIPAL

CA4 ON HBL A05

M21

1997

MINUTES OF HAMILTON CITY
COUNCIL

AUG. 26, 1997 ...

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M21
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1997 August 26

Minutes of Hamilton City Council
Tuesday, 1997 August 26
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

SEP 9 1997

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Eisenberger, Collins,
Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman Agro - City Business
Alderman McCulloch - City Business

Mayor Morrow called the meeting to order.

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The National Anthem was played.

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Mayor R. Morrow led Council in prayer.

ADOPTION OF MINUTES

The minutes of the regular meeting held 1997 July 8 and the special meetings held 1997 July 17, July 24, August 7 and August 12 were adopted as circulated.

Recorded vote on Minutes of 1997 August 12.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson,
Jackson, Ross. -9.

NAYS: Aldermen Eisenberger, Collins, Charters, Merling, Anderson, D'Amico. -6.
CARRIED.

PRESENTATION

A Certificate of Recognition was presented to Mr. Sam Alfano.

DECLARATION OF APPOINTED OFFICE

Wesley H. Shoemaker was sworn in as the Fire Chief.

CORRESPONDENCE

1. Letter dated 1997 July 31 from S. G. Hollowell, Acting City Clerk advising of objections to By-law No. 97-132 respecting property at 412 Aberdeen Avenue.

Received

2. Letter dated 1997 August 7 from S. G. Hollowell, Acting City Clerk advising of objections to By-law No. 97-147 respecting property at 195 Ferguson Avenue North.

Received

3. Application dated 1997 August 7 from 839891 Ontario Inc., (A. DiSilvestro, 161 Rebecca Street, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District; and, Subdivision Application 97-05 (Wellington Estates for approval of a plan of subdivision for 76 lots for single-detached dwellings, 5 blocks to be developed in conjunction with the adjacent lands and 1 block for parkland for property at 240 Rymal Road East, Hamilton, Ontario.

Received

4. Application dated 1997 August 6 from Mohawk College of Applied Arts and Technology, Fennell Avenue West for a modification to the established "B" (Suburban

Agricultural and Residential, etc.) District regulations for Blocks "1" and "2" for property at 135 Fennell Avenue West, Hamilton, Ontario.

Received

5. Application dated 1997 August 5 from Barriview Developments Limited, 4881 Yonge Street, Willowdale, Ontario for an Official Plan Amendment and Rezoning Application to amend Special Policy Area 33 to allow a restaurant use, and for a further modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District for 880 Upper Wentworth Street, Hamilton, Ontario.

Received

6. Application dated 1997 July 17 from Ron Kemp, President, James Kemp Construction Limited, Box 3520, Station "C", Hamilton, Ontario for Part Lot control for Rouge Hill Court, Hamilton, Ontario

Received

7. Application dated 1997 July 15 from the Board of Education for the City of Hamilton, 100 Main Street East, Hamilton, Ontario for redesignation from Open Space and Major Institutional to Residential and for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "DE" (Low Density Multiple Dwellings) District modified for 220 Dundurn Street South, Hamilton, Ontario.

Received

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be considered in Committee of the Whole with Alderman Caplan in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, -14.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - NINTH REPORT

Section 2 Re: Surplus Property - Alleyway Between Glenfern and Hillcrest Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 14.

NAYS: Alderman Kiss. -1.

CARRIED.

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Section 4(d) Re: Traffic Signal - Arrowsmith Road and Centennial Parkway

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Copps. -1.

CARRIED.

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Section 6 Re: Three-way Stop Control at Berkindale Drive and Sylvester Street

It was moved by Alderman Collins and seconded by Alderman Eisenberger that Section 6 of the Ninth Report of the Transport and Environment Committee be amended by adding the words "for a six-month trial period." **CARRIED.**

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Rule No. 9 - Intersection Control at Greenhill Avenue and Hildegard Drive

It was moved by Alderman Merling and seconded by Alderman D'Amico that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting no parking on Valery Court and in order to permit consideration of a resolution respecting intersection control at Greenhill Avenue and Hildegard Drive. **CARRIED.**

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Section 50 Re: "No Parking" Regulation on Valery Court

It was moved by Alderman Merling and seconded by Alderman D'Amico that the Ninth Report of the Transport and Environment Committee for 1997 be amended by adding the following as Section 50:

50. That the existing "No Parking" regulation on the east side of Valery Court commencing at the east/west leg of Valery Court and extending to the south property line of 29 Valery Court be removed and that a "No Parking" regulation be implemented on the east side of Valery Court commencing at a point 72 feet south of the east/west leg of Valery Court and extending to a point 26 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly. **CARRIED.**

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Section 51 Re: Three-way Stop Control - Greenhill Avenue and Hildegard Drive

It was moved by Alderman Merling and seconded by Alderman Collins that the Ninth Report of the Transport and Environment Committee for 1997 be amended by adding the following as Section 51:

51. (a) That three-way stop control be implemented at the intersection of Greenhill Avenue and Hildegard Drive and that the City Traffic By-law No. 89-72 be amended accordingly; and,
- (b) That the following Bill be adopted, signed, sealed and enrolled as a By-law:

A-61 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic. **CARRIED.**

PARKS AND RECREATION COMMITTEE - EIGHTH REPORT

Rule No. 9 - Hamilton Tiger Cat Football Club Special Event

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the Hamilton Tiger Cat Football Club Special Event. **CARRIED.**

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Section 13 Re: Hamilton Tiger Cat Football Club Special Event

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that the following be added as Section 13 of the Eighth Report of the Parks and Recreation Committee for 1997:

13. That approval as required by Parks By-law 95-126, as amended, Section 12, and subject to the standard terms and conditions of the Special Events Guidelines, be given to the Hamilton Tiger Cat Football Club (1097694 Ontario Ltd.) to hold a beer garden as a pre-game party on Monday, 1997 September 1st at 5:00 - 6:30 p.m., and on Saturday, 1997 September 6th at 2:00 - 3:30 p.m. in the east end zone of Brian Timmis Stadium.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Jackson. -1.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - THIRTEENTH REPORT

Section 1 Re: Zoning Modification at 120 Ferrie Street

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Copps. -1.

CARRIED.

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Section 7 Re: Expropriation of Lands on King Street East and Main Street East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Copps. -1.

CARRIED.

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Section 8 Re: Demolition Permit - 272 Wellington Street

It was moved by Alderman Drury and seconded by Alderman D'Amico that Section 8 of the Thirteenth Report of the Planning and Development Committee for 1997 be deleted and replaced with the following:

8. That the Building Commissioner be authorized to approve a demolition permit for 272 Wellington Street North, in accordance with By-law 74-290 pursuant to Section 33 of the Planning Act, as amended. **CARRIED.**

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Section 27 Re: Change in Zoning - 5 Dodson Street

It was moved by Alderman Drury and seconded by Alderman D'Amico that the following be added as Section 27 of the Thirteenth Report for 1997 of the Planning and Development Committee:

27. That Zoning Application ZAR-97-18, Enio Prosperi, Vera Prosperi, Mauro Prosperi and Cesare Prosperi, owners, requesting a change in zoning from "C" (Urban Protected Residential, etc) District to "R-4" (Small Lot Single Family) District, for the rear lands of 5 Dodson Street which front onto Welbourn Drive and north of McElroy Road East, as shown on the attached map marked as Appendix "M", be denied because the proposed application is not considered to be consistent with the established residential character of the neighbourhood. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - NINETEENTH REPORT
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Section 1 Re: Task Force Respecting 1997 Base Budget Reductions

It was moved by Alderman Charters and seconded by Alderman Jackson that the Nineteenth Report for 1997 of the Finance and Administration Committee be amended by deleting the words "and the Human Resources Department" at the end of the resolution. **CARRIED.**

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Section 7 Re: Option to Purchase by Theatre Aquarius Incorporated

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Copps. -1.

CARRIED.

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Section 20(a) Re: Question on Municipal Election Ballot re Casino in Hamilton

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Copps. -1.

CARRIED.

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Section 25 Re: 5% Land Dedication Fee at 771 Limeridge Road East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Eisenberger. -1.

CARRIED.

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Section 26 Re: Refund of 5% Land Dedication - Lots 1-14 in Ridgeview Estates Phase 3

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Wilson, Eisenberger. -2.

CARRIED.

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Section 27 Re: Conflict of Interest - Agency Agreement Between Union Gas Limited and City of Hamilton

Alderman B. Charters declared a conflict of interest with respect to Section 27 as his wife is an employee of Union Gas Limited.

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Rule No. 9 Re: Sandblasting Containment Equipment - 830 Dunn Avenue

It was moved by Alderman Wilson and seconded by Alderman Copps that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council to give consideration to a motion respecting property at 830 Dunn Avenue. **CARRIED.**

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Section 30 Re: Sandblasting Containment Equipment - 830 Dunn Avenue

It was moved by Alderman Wilson and seconded by Alderman Copps that the following be added as Section 30 of the Nineteenth Report for 1997 of the Finance and Administration Committee:

30. That the Ministry of Environment & Energy be requested to enforce the 1995 Court Order to require that sandblasting containment equipment be installed at the property at 830 Dunn Avenue. **CARRIED.**

NOMINATING COMMITTEE - FIFTH REPORT

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: -0.

CARRIED.

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule 29 of By-law 95-167 be suspended for this meeting of City Council in order to permit postponement of the Notice of Motion of Alderman Ross to a fourth meeting of City Council. **CARRIED.**

ACTING MAYOR FOR THE MONTH OF SEPTEMBER, 1997

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman Eisenberger be appointed Acting Mayor for the month of September, 1997. **CARRIED.**

RESOLUTION

Re: Regional Question on Municipal Ballot

It was moved by Alderman Charters and seconded by Alderman Jackson:

- (a) That staff review the Municipal Elections Act to determine if the Region can impose the placing of a question on the election ballot; and,
- (b) That, if the Region can impose the placing of a question, Regional Council be requested to hold a special meeting prior to 1997 September 12 in order to reconsider the placing of this question; and,
- (c) That, if the Region cannot impose the placing of a question, a special meeting of City Council be convened to discuss this issue. **CARRIED.**

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City Council then adjourned at 9:35 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

S. G. Hollowell
1997 August 26

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **NINTH** Report for 1997 and respectfully recommends:

1. That the appropriate By-law, prepared to the satisfaction of the City Solicitor, for the stop-up, close and sale of a portion of Upper Horning Road designated as Part 5 on Plan 62R-9295 be forwarded to City Council for enactment.
2. (a) That the following property be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law 95-049:

"the lands composed of part of the alleyway lying between Glenfern and Hillcrest Avenue on the east limit of Registered Plan 272, shown as Part 3 on Registered Plan 62R-14117, comprising an area of 80.40 square metres (865.5 square feet)"; and,
- (b) (i) That an Offer to Purchase (Highway Closure), duly executed by Gerard Martin and Marie McManus, on 1997 July 28 and scheduled to close thirty (30) days after the conditions of the Offer have been fulfilled to the satisfaction of the City, being on or before 1997 December 17, for the lands composed of part of the alleyway lying between Glenfern and Hillcrest Avenue on the east limit of Registered Plan 272, shown as Part 3 on Registered Plan 62R-14117, comprising an area of 80.40 square metres (865.5 square feet), rear of 85 Mountain Avenue, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$1 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases (Sales)); and,
- (ii) That the closing of the this sale transaction be conditional upon:
 - (1) the Purchaser agrees to take title subject to such registered easements in favour of the Regional Municipality of Hamilton-Wentworth and Bell Telephone Company; and,

- (2) the Purchaser is required at its expense, to prepare and register all required easement documents with and satisfactory to each Utility; and,
- (iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,
- (iv) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
 - (1) satisfactory notice has been given pursuant to Section 300 of the Municipal Act (the highway sale provision); and,
 - (2) no appraisal of the fair market value of the real property intended to be sold was obtained as Highway (Public Alleyway) closures and sales are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,
 - (3) the City Clerk be authorized and directed to execute and issue a certificate of Compliance in the Form prescribed pursuant to Section 193 of the Municipal Act; and,
- (c) That the appropriate Stop-up, Close and Sell By-Law, prepared to the satisfaction of the City Solicitor, be forwarded to City Council for enactment.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Kiss. -1.

CARRIED.

- 3. (a) That the appropriate By-Law, prepared to the satisfaction of the City Solicitor, to sell a portion of closed Greenhill Avenue and Newlands Road designated as Part 3 on Plan 62R-7888 and Part 2 on Plan 62M-6273 be forwarded to City Council for enactment.
- 4. (a) That the appropriate By-law to alter Centennial Parkway and Arrowsmith Road be forwarded to City Council for enactment; and,

- (b) That the Home Depot, the owner of lands at No. 350 Centennial Parkway North, pay approximately 59 per cent of the total costs of the widening of Centennial Parkway from approximately 50 metres south of Arrowsmith Road to approximately 210 metres north of Arrowsmith Road, the widening of Arrowsmith Road from Centennial Parkway to approximately 120 metres westerly, the installation of traffic signals at the intersection of Arrowsmith Road and Centennial Parkway, the construction of a traffic turning circle at the west end of Cascade Street, the acquisition of lands at the north west corner of Arrowsmith Road and Centennial Parkway and the costs for any utility relocation, etc. required as a result of these roadworks. Their preliminary cost estimate share, excluding utility relocation and land acquisition costs, is approximately \$224,200; and,
- (c) That the City of Hamilton pay approximately 41 per cent of the works described in item (b) above. The City's preliminary cost estimate share, excluding utility relocation and land acquisition costs, is approximately \$155,800; and,
- (d) That the Commissioner of Public Works and Traffic be authorized and directed to install a traffic signal at the intersection of Arrowsmith Road and Centennial Parkway upon completion of the widening of the intersection and landscaping in the median at a cost not to exceed \$40,000 - Capital Funding; and,
- (e) That the Finance and Administration Committee be requested to recommend the method of financing these works; and,
- (f) That City staff be authorized to remove any trees required in conjunction with the alterations and replace them with appropriate landscaping; and,
- (g) That prior to the issuance of an Approach Approval, the Home Depot provide the City of Hamilton with securities in the amount of \$161,250 for their portion of the roadworks and pay to the City the required Construction Inspection fees; and,
- (h) That The Home Depot be advised of these actions.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Copps. -1.

CARRIED.

5. (a) That an Option to Purchase, duly executed by Jawee Enterprises Inc. (Darvin Puhl, Director), on 1997 August 14 and scheduled to close on or before 1997 September 26, for the lands composed of part of Lot 27, Concession 1, in the former Township of Saltfleet, now in the City of Hamilton, being municipally known as part of 337 Centennial Parkway North, Hamilton and comprising an area of 188 square metres (2,023.68 square feet), more or less, as shown on Schedule "A" attached to the agreement, be approved and completed at the purchase price of \$16,200; and,
- (b) That the Finance and Administration Committee be requested to determine the method of financing; and,
- (c) That the Option to Purchase be subject to the following conditions:
 - (i) that the City shall maintain vehicular egress and ingress to 337 and 347 Centennial Parkway North at all times during construction including the 30 foot right of way along the easterly boundary of 337 Centennial Parkway North; and,
 - (ii) that the City shall, at its own expense change the location of the easterly entrance and remove secondary entrance to the Owner's property as to be determined by the owner and located on a plan to be submitted to the Regional Roads Division prior to the closing of this transaction. Entrance will be heavy grade asphalt to gate; and,
 - (iii) that the City shall, at its own expense replace the entire chain link fence and gates running along the southerly boundary of the Owner's property with a new chain link fence and rolling gate of equal or better quality than the present fence and gates and if required provide a recessed area to be determined by the owner and located on a plan to be submitted to the Regional Roads Division prior to the closing of this transaction so as to provide safe ingress and egress for the Owner's vehicles; and,
 - (iv) that the Owner shall execute an Authority to Enter document in the City's form prior to the closing of this transaction allowing the City to enter onto his lands for the purpose of replacing the existing fence and gates and other construction related to this road widening project; and,
 - (v) that the City shall, at its own expense, plant trees on existing boulevard; and,
 - (vi) that the Owner shall obtain an executed Release of Right-of-Way document (Instrument No. 220887HL) to be approved by the City and satisfactory to the City Solicitor prior to the closing of this transaction, from the owners of the adjacent lands at 347 Centennial Parkway; and,

- (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,
 - (e) That an Authority to Enter, duly executed by Jawee Enterprises Inc. (Darvin Puhl, President) on 1997 August 14 to permit entry by the City on the private property known municipally as 337 Centennial Parkway North, being part of Lot 27, Concession 1, formerly in the Township of Saltfleet, now in the City of Hamilton, more specifically being approximately a 12 metre (40 foot), more or less, to 21.55 metres (70 feet), more or less, strip of land along the southerly limit of 337 Centennial Parkway North as shown highlighted on Schedule "A" attached to the agreement for the purposes of the installation of a chain link fence and gate, the location of which is to be determined by the owner and other construction related work associated with the Arrowsmith Road widening project.
6. That three-way stop control be implemented at the intersection of Berkindale Drive and Sylvester Street and that Traffic By-law 89-72 be amended accordingly for a six-month period. **AMENDED.**
7. That the existing "No Parking" regulation on the east side of Avondale Street between Mons Avenue and the Canadian National Railway Main Line be switched to the west side of the street and that the City Traffic By-law 89-72 be amended accordingly.
8. (a) That the existing "No Parking" regulation on the south side of Roseland Avenue commencing at Blake Street and extending to the easterly end be revised such that the regulation commences at Blake Street and extends to a point 18 feet west of the easterly end; and,
- (b) That a "No Stopping" regulation be implemented on the north side of Roseland Avenue commencing at the easterly end and extending to a point 17 feet westerly therefrom; and that the City Traffic By-law 89-72 be amended accordingly.
9. That the existing "No Parking" regulation on the east side of Thorndale Street South, commencing at a point 183 feet south of Main Street West and extending to a point 41 feet southerly therefrom, be removed and that the City Traffic By-law 89-72 be amended accordingly.

10. That the existing "No Stopping" regulation on the west side of Connaught Avenue South commencing at Dunsmure Road and extending to a point 52 feet southerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
11. (a) That a "Permit Parking" regulation be implemented on the south side of Brock Street commencing at a point 89 feet east of John Street North and extending to a point 24 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Henry Fusaro, 36 Brock Street.
12. That the existing "Permit Parking" regulation on the west side of Adeline Avenue commencing at a point 50 feet south of Roxborough Avenue and extending to a point 20 feet southerly therefrom, and on the east side of Adeline Avenue commencing at a point 29 feet south of Roxborough Avenue and extending to a point 22 feet southerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.
13. That the existing "No Parking, 10:00 a.m. to 2:00 p.m., Monday to Friday" regulation on the west side of East 35th Street between Concession Street and the northerly end be replaced with a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation, and that the City Traffic By-law 89-72 be amended accordingly.
14. That the existing "Permit Parking" regulation on the east side of Tragina Avenue North commencing at a point 66 feet south of Vansitmart Avenue and extending to a point 22 feet southerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.
15. That a "No Parking" regulation be implemented on the east side of Abbington Drive commencing at the north curb line of Abbington Drive and extending to a point 38 feet northerly therefrom and on the north side of Abbington Drive commencing at the east curb line of Abbington Drive and extending to a point 48 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.
16. (a) That a "Permit Parking" regulation be implemented on the north side of Land Street commencing at a point 60 feet west of Niagara Street and extending to a point 19 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and,

- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. DeMerchant, 21 Land Street.
17. That the existing "Permit Parking" regulation on the west side of Hughson Street North commencing at a point 240 feet south of the south curb line of Brock Street and extending to a point 18 feet southerly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.
 18. That a "No Parking" regulation be implemented on the west side of Locke Street South commencing at a point 119 feet north of Charlton Avenue West and extending to a point 27 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.
 19. That "No Stopping" corner clearances be implemented on the west side of Upper Kenilworth Avenue, commencing at Elliott Avenue and extending to a point 69 feet northerly therefrom, and commencing at Elliott Avenue and extending to a point 38 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.
 20. That a full-time "One Hour Parking Time Limit" regulation be implemented on both sides of Skylark Drive between Limeridge Road East and Pheasant Place, and that the City Traffic By-law 89-72 be amended accordingly.
 21. That a "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Munn Street between East 31st Street and East 33rd Street, and that the City Traffic By-law 89-72 be amended accordingly.
 22. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of West 33rd Street between Angela Avenue and Scenic Drive, and that the City Traffic By-law 89-72 be amended accordingly.
 23. (a) That the existing "Permit Parking" regulation on the west side of Sanford Avenue North commencing 147 feet north of Barton Street East and extending to the south curb line of Myler Street be revised such that the regulation commences 147 feet north of Barton Street East and extends to a point 227 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,

- (b) That the maximum number of permits to be issued be reduced from eleven to eight.
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- 24. That the existing "Wheelchair Loading Zone, 8:00 a.m. to 11:00 p.m., Monday to Friday" regulation on the west side of Tragina Avenue North commencing at a point 66 feet south of Vansitmart Avenue and extending to a point 23 feet southerly therefrom, be revised such that the regulation is in effect seven days a week, and that the City Traffic By-law 89-72 be amended accordingly.
 - 25. That the existing "Commercial Vehicle Loading Zone, 8:00 a.m. to 12:00 noon, Monday to Friday" regulation on the west side of Catharine Street South commencing 77 feet south of Young Street and extending 40 feet southerly therefrom be revised such that the regulation is in effect from 8:00 a.m. to 5:00 p.m., Monday to Friday, and commences 87 feet south of Young Street and extends 60 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.
 - 26. That the existing "Permit Parking" regulation on the north side of Dunsmure Road commencing at a point 96 feet east of Park Row North and extending to a point 19 feet easterly therefrom, and on the south side of Dunsmure Road commencing at a point 102 feet east of Park Row North and extending to a point 18 feet easterly therefrom be removed, and that the City Traffic By-law 89-72 be amended accordingly.
 - 27.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Mary Street commencing at a point 119 feet south of Murray Street East and extending to a point 16 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Nicolae Polmolea, 305 Mary Street.
 - 28.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Norman Street commencing at a point 197 feet south of Argyle Avenue and extending to a point 20 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Nancy Meadows, 68 Norman Street.

29. (a) That a "Permit Parking" regulation be implemented on the west side of Strathearne Avenue commencing at a point 438 feet south of Barton Street East and extending to a point 23 feet southerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. James Lindstead, 295 Strathearne Avenue.
30. That a "Wheelchair Loading Zone, 12 noon to 8:00 p.m., seven days a week" regulation be implemented on the east side of Pearl Street North commencing at a point 32 feet south of Peter Street and extending to a point 15 feet southerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
31. (a) That a "Permit Parking" regulation be implemented on the north of Campbell Avenue commencing at a point 64 feet east of Carlisle Street and extending to a point 24 feet easterly therefrom, and on the south side of Campbell Avenue commencing at a point 44 feet east of the east curb line of Carlisle Street and extending to a point 16 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Sandra Gamble, 123 Campbell Avenue.
32. That westbound traffic on the north branch of Albion Falls Boulevard be required to stop for northbound and southbound traffic on Corinthian Drive and that the City Traffic By-law 89-72 be amended accordingly.
33. (a) That the traffic signal at Limeridge Road East and the easterly access to Limeridge Mall be removed; and,

(b) That the existing "No Left Turn" regulation on Limeridge Road East, prohibiting a southerly left turn at the west access of Limeridge Mall be removed, and that the City Traffic By-law 89-72 be amended accordingly.
34. That the supervised school crossing location on Upper Gage Avenue at Crockett Street be relocated to the intersection of Upper Gage Avenue and Sunning Hill Avenue.

35. (a) That the following Hamilton Street Railway bus stop be relocated for a six-month trial period:

Route #5 Delaware, 10 Beeline and 51 University

Delete - Westbound - King Street West, north side, 112 feet east of Sterling Street (M/B); and,

Add - Westbound - King Street West, north side, 28 feet east of Sterling Street (N/S); and,

- (b) That the City Traffic By-law 89-72 be amended accordingly.
36. That the applications to retain inadvertent encroachments at the locations as outlined on Appendix "A", appended hereto, be approved during the pleasure of Council, provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
- (c) That the first year fees and subsequent annual fees as outlined in Appendix "A" be set for the encroachments.
37. That the application of 953783 Ontario Ltd/Rudolf Kuras, owner of 307-7 Mary Street, to erect and maintain the encroachment of a fire escape measuring 1.0m x 1.5m onto the road allowance of Mary Street, be approved, subject to the following:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
- (c) That the applicant pay a first year fee \$184 and a subsequent annual fee of \$35.

38. That the application of J. & M. Sonke, owners of 125 South Oval, to erect and maintain encroachments consisting of a retaining wall 0.35m x 28.0m x 0.90m and landscaping measuring 0.90m x 28.0m onto the road allowance of South Oval and a retaining wall measuring 0.35m x 12.5m x 0.90m and landscaping measuring 0.90m x 12.5m onto the road allowance of Newton Avenue, be approved, subject to the following:

- (a) That the owner enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
- (c) That the applicant pay a first year fee \$184 and a subsequent annual fee of \$35.

39. That the application of Tec Est Consultants Inc. on behalf of Air Liquide Canada Inc. to install and maintain 117.65m of 100mm diameter pipeline for the transmission of gaseous hydrogen along the west side of Depew Street southerly from Burlington Street, be approved, subject to the following conditions:

- (a) (i) That Air Liquide Canada Inc. enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (ii) That Air Liquide Canada Inc. or its designated contractor become a member of Call-Bud System, the underground locate agency; and,
- (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
- (c) That Canadian Air Liquide Canada Inc. pay a first year fee \$264 and a subsequent annual fee of \$155.78 plus taxes if applicable.

40. (a) That the following City land be incorporated in the following streets:

Fieldway Drive	Part 16	Plan 62R-11054
Appleblossom Drive	Part 2	Plan 62R-14168
Nash Road	Part 3	Plan 62R-14202
Garside Avenue North	Parts 2 and 5	Plan 62R-13955

- (b) That the By-Laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the City Solicitor and be enacted by Council.
 - (c) That the Commissioner of Transportation be authorized and directed to register the By-Laws.
41. That the application of Hess Village Performing Arts to temporarily close Hess Street between King Street and Main Street on Thursday 1997 September 4 beginning from 6:30 pm till 2:00 am Monday September 8, to coincide with the Lakeport Canadian Country Music Association of Canada Convention, be approved, subject to the following conditions:
- (a) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
 - (b) That the applicant provide proof of \$5,000,000. public liability insurance naming the Region and the City of Hamilton as an added insured party, with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
 - (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
 - (d) That all barricading be supplied by and at the expense of the applicant; and,
 - (e) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic, at the expense of the applicant; and,
 - (f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation; and,

- (i) That the applicant be granted extension to the City of Hamilton Noise By-Law 79-292 and contract a City of Hamilton Noise By-Law Officer to be in attendance throughout the event, at the expense of the applicant; and,
 - (j) That the LLBO be advised that the Corporation of the City of Hamilton is aware of the application for a Temporary Extension of Liquor Licence submitted by the Lazy Flamingo (19 Hess Street South) in conjunction with the Country Music Association of Canada convention to take place 1997 September 5, 6, 7 and 8; and that the City has no objection to the issuance of the Temporary Extension of Liquor Licence for this event.
42. That the application of the Westdale Village B.I.A. to temporarily close King Street West between North Oval and Sterling Street on Saturday 1997 September 6 from 6:30 am to 6:00 pm, to hold a "Community Garage Sale and Sidewalk Sale", be approved, subject to the following conditions:
- (a) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
 - (b) That the applicant provide proof of \$2,000,000 public liability insurance naming the Region and the City of Hamilton as an added insured party, with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,
 - (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,
 - (d) That all barricading be supplied by and at the expense of the applicant; and,
 - (e) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic, at the expense of the applicant; and,
 - (f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation.
43. That the Commissioner of Transportation be authorized and directed to award tenders as required on the approved Canada/Ontario Infrastructure Works Program as per Appendix "B" attached hereto.
44. (a) That the approved 1997 Road and Sidewalk construction program proceed with the completion of East 37th Street between Crockett Street and Concession Street and Cheryl Avenue between Upper Sherman Avenue and East 34th Street: and,
- (b) That the Finance and Administration Committee be requested to recommend the method of financing the identified shortfall in the 1997 Road and Sidewalk Improvement Programme in the estimated amount of \$580,000.
45. That four-way stop control be implemented at the intersection of Normandy Road and Auburn Avenue, and that Traffic By-law 89-72 be amended accordingly.
46. That four-way stop control be implemented at the intersection of Delena Avenue North and Dunsmure Road and that Traffic By-law 89-72 be amended accordingly.
47. That a "No Stopping" regulation be implemented on the south side of Milkyway Drive/Trenholme Crescent, commencing 60 feet west of the extended west curb line of Upper Kenilworth Avenue and extending to a point 123 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.
48. (a) That the City grant an easement to the Region to install sewer & water lines within land dedicated to the City by the St. Elizabeth Home Society for Garth Street, (south of Rymal Road). This land is part of lot 3, concession 1, geographic township of Glanford, designated as Part 2, on reference plan 62R-5470; and,
- (b) That the Mayor and City Clerk be authorized to execute the easement to the Region in a form satisfactory to the City Solicitor; and,

- (c) That in compliance with the City's Real Property Sales Procedural By-law No. 95-49, it is hereby affirmed:
 - (i) the said proposed easement to the Region is declared surplus to the requirements of the City; and,
 - (ii) Notice of sale of the said easement is sufficiently given by inclusion of this easement sale in the Agenda of the Council meeting held to consider this recommendation; and,
 - (iii) an appraisal of the value of the said easement to the Region is not required because the easement is being sold to a regional municipality, namely The Regional Municipality of Hamilton-Wentworth; and,
 - (iv) the City Clerk be hereby authorized to execute a Certificate of Compliance in accordance with the Real Property Sales Procedural By-law for purposes of the said transfer of easement to the Region.

49. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-51 A By-law to Incorporate City Land Designated as Part 16, Plan 62R-11054 Into Fieldway Drive.
- (b) A-52 A By-law to Incorporate City Land Designated as Part 2 on Plan 62R-14168 Into Appleblossom Drive.
- (c) A-53 A By-law to Incorporate City Land Designated as Part 3 on Plan 62R-14202 Into Nash Road.
- (d) A-54 A By-law to Incorporate City Land Designated as Parts 2 & 5 on Plan 62R-13955 Into Garside Avenue North.
- (e) A-55 A By-law to Stop-Up, Close and Sell a Portion of the Alley at the Rear of 85 Mountain Avenue Designated as Part 3 on Plan 62R-14117.
- (f) A-56 A By-law to Stop-Up, Close and Sell a Portion of Upper Horning Road Lying East of Omni Boulevard Designated as Part 5 on Plan 62R-9295.
- (g) A-57 A By-Law to Alter Centennial Parkway from Approximately 50 Metres South of Arrowsmith Road to Approximately 210 Metres North of Arrowsmith Road, to Alter Arrowsmith Road from Centennial Parkway to Approximately 120 Metres Westerly; to Alter Cascade Street at its Westerly End.

- (h) A-58 A By-law to Sell a Closed Portion of Greenhill Avenue and a Closed Portion of Newlands Road Designated as Part 3 on Plan 62R-7888 and Part 2 on Plan 62R-6273.
 - (i) A-59 A By-law to Amend By-law No. 89-72 to Regulate Traffic.
 - (j) A-60 A By-law to Amend By-law No. 89-72 to Regulate Traffic.
50. That the existing "No Parking" regulation on the east side of Valery Court commencing at the east/west leg of Valery Court and extending to the south property line of 29 Valery Court be removed and that a "No Parking" regulation be implemented on the east side of Valery Court commencing at a point 72 feet south of the east/west leg of Valery Court and extending to a point 26 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly. **ADDED.**
51. (a) That three-way stop control be implemented at the intersection of Greenhill Avenue and Hildegard Drive and that the City Traffic By-law No. 89-72 be amended accordingly; and,
- (b) That the following Bill be adopted, signed, sealed and enrolled as a By-law:
- A-61 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic. **ADDED.**

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson, Secretary
1997 July 18**

<u>Location</u>	<u>Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual Fee</u>	<u>File Number</u>
Sanford Ave. N.	130 Sanford Ave. N.	Mayen/Sanchez	Frame Veranda measuring 1.06m x 6.40m	\$184/20	T103-50 (1303)
Bay St. N.	434 Bay St. N.	B. Stopps	Veranda & Steps measuring 0.90m x 3.50m	\$184/20	T103-50 (1313)
Ferguson Ave.	34 Foster St.	E. & L. Jegeris	Portion of building measuring 8.5m x 2.5m, 4.15m x 1.2m & steps measuring 1.5m x 0.3m	\$184/20	T103-50 (1293)
Burlington St. W.	56 Burlington St. W.	A. MacLean	Veranda & Steps measuring 2.9m x 1.2m	\$184/20	T103-50 (1320)

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Morley Street	Parkdale	Tate	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	\$614,000
Fernwood Crescent	Tenth	Ninth	-road reconstruction-sidewalk reconstruction-both sides	\$140,000
West 32nd Street	Scenic	Sanatorium	-sidewalk reconstruction and repair -both sides	\$100,000
West 33rd Street	Scenic	Sanatorium	-sidewalk reconstruction and repair -both sides	\$100,000
Franklin Avenue	Longwood	Parkview	-road reconstruction-sidewalk and curb reconstruction	\$219,000
East 22nd Street	Fennell	Queensdale	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	\$325,000
Adeline Avenue	Main	Britannia	-road reconstruction-sidewalk reconstruction-both sides	\$421,000
Hester Street	Upper James	Upper Wellington	-road reconstruction-sidewalk repairs -both sides -in conjunction with Regional watermain work	\$448,000
East 38th Street	Mohawk	Macassa	-road reconstruction-sidewalk reconstruction-both sides	\$452,000
Wise Crescent	Grenadier	Grenadier	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	\$463,000
		TOTAL		\$3,282,000

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **EIGHTH** Report for 1997 and respectfully recommends:

1. That the City Treasurer be directed to close the following capital project accounts with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
709341015	Huntington Park-Wading Pool Conversions	101,370	98,003	3,367
629455015	Engineering/Hydraulic Study-Golf Course	40,000	39,740	260
709541013	Facility Infrastructure Study	100,000	87,221	12,779
709654018	Ivor Wynne Stadium-Renovations & Repairs	90,000	89,447	553

2. That approval as required by Sections 35 and 37 of Parks By-Law No. 95-126 as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the following to bring animals into a park in the locations and on the dates specified:
 - (a) The Director of Culture and Recreation to host the Pumpkinfest Event, 1997 October 26, in Pier 4 Park;
 - (b) Ferric Oxide - Robert Mason, to host "First Voices Day"/Listen to the Valley, 1997, October 4, in Red Hill Valley.

3. That approval as required by Section 17 (1) and Section 26 of the Fireworks By-Law 90-198 and Section 05 of the Parks By-Law 95-126 as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the Hamilton Tiger Cat Football Club -(1097694 Ontario Limited) to hold low level fireworks displays at Ivor Wynne Stadium during the 7:00 p.m. Tiger Cat Football Game, 1997 September 01.
4.
 - (a) That a Purchase Order in the amount of \$93,732. inclusive of G.S.T. (\$6,132.) be issued to Roof Tile Management Inc. of Brampton, Ontario, for the roof replacement over the "old restaurant" section of Dundurn Castle; being the lowest price of five quotations received in accordance with the specifications (C6-26-97) issued by the Purchasing Division; and,
 - (b) That the expenditure be financed from Capital Fund Account - Major Maintenance to Civic Buildings - CF 319741033 (\$98,000.).
5.
 - (a) That approval be given to the Director of Culture and Recreation to carry a contingency in the amount of \$34,420. (GST included) to undertake any unforeseen items which may arise in the Chedoke Twin Pad Arena Architectural and Mechanical Modifications project; and,
 - (b) That these funds be financed from accounts CF 709741040 (Chedoke Twin Pad arena Changerooms Dehumidification and repair, CF 709741046 (Twin Pad Arena Incremental Operational Improvements, CF 809453005 (Barrier Free Access - City Buildings) and CF 709041012 (Chedoke West Mountain Twin Pad Arena).
6. That City Council approve the actions of the Purchasing Agent, the Chief Administrative Officer and the Chairman of Parks and Recreation in issuing a purchase order to Anders Contracting of Hagersville, Ontario, in the amount of \$56,912.00 plus applicable taxes and contingency for a total of \$73,735.84 for water service and sewer installation at T.B. McQuesten Park, being the lowest acceptable tender received in accordance with specifications C16-28-97 issued by the Purchasing Division and vendor's tender, and be financed from CF 629254005.
7.
 - (a) That approval be given to the Commissioner of Public Works and Traffic to enter into a contract with G.S. Wark Ltd. in the amount of \$242,943.50, including a \$20,000. contingency and \$15,893.50 G.S.T., for the construction of sun shelters and concrete block buildings at Roxborough and Myrtle Parks, being the lowest of three (3) tenders received in accordance with specifications C16-32-97 issued by the Purchasing Division and the Vendor's Tender; and,

- (b) That the amount of \$242,943.50 for construction of the sun shelters and concrete block buildings be funded as follows: \$127,223. from CF629754025 - Park Development - Additional (1997), \$40,000. from CF809453005, and \$75,720.50 donation from the Roxborough Park Baseball and T-Ball Association; and,
 - (c) That the \$72,720.50 to be funded by the Roxborough Park Baseball and T-Ball Association in the interim be funded from the 1997 Park Development and Redevelopment Program - CF629754024 and the Association be charged 0% interest for this advance; and,
 - (d) That the Law Department be authorized to prepare a construction contract for the construction of the two buildings and a Construction Agreement and a Licence to Occupy Agreement between the City and the Roxborough Park Baseball and T-Ball Association; and,
 - (e) That the Mayor and City Clerk be authorized and directed to execute a Construction Agreement and the License to Occupy Agreement between the City and Roxborough Park Baseball and T-Ball Association; and,
 - (f) That the Mayor and City Clerk be authorized and directed to execute the construction contract in a form satisfactory to the City Solicitor.
8. (a) That a purchase order be issued to G.S. Wark Ltd., Hamilton, Ontario in the amount of \$79,351.20 including a \$12,000. contingency and \$5,191.20 G.S.T., for the construction of spray pads at Shawinigan and Powell Parks, being the lowest of three (3) tenders received in accordance with specifications C16-30-97 issued by the Purchasing Division and the Vendor's Tender; and,
- (b) That the amount of \$79,351.20 for construction of the spray pads be funded from CF629754024 - Park Development and Redevelopment Programme - 1997 in the amount of \$71,667., and CF629654021 - Park Development and Redevelopment Program - 1996 in the amount of \$7,684.
9. That a purchase order be issued to Arrowhead Paving, Burlington, Ontario in the amount of \$112,938.50 including all taxes and contingency, for the granular, concrete, asphalt work and multi-purpose court at Rosedale Arena, being the only tender received in accordance with specifications C-16-31-97 issued by the Purchasing Division and the Vendor's tender, and that this expenditure be financed from the Account No. CF629654021 - Park Development and Redevelopment 1996 in the amount of \$7,080., Account No. CF629754024 - Park Development and Redevelopment 1997 in the amount of \$81,913.50, Account No. CF659552009 - 1995

Play Structure Redevelopment in the amount of \$4,700; the remaining \$19,245. will be financed from the Canada/Ontario Infrastructure Account No. CF809453015 - Parking Lots and Pathways.

10. (a) That up to three members of the Hamilton Historical Board be authorized to attend the Ontario Museum Association Conference to be held in Burlington, Ontario, from 1997 October 23-24; and,
(b) That the Conference costs in the estimated amount of \$640. be financed through the Legislative Travel Account No. CH 55201 10010.
11. (a) That a Purchase Order be issued to Malcom Isbister and Co. Ltd. of Dundas, Ontario as the General Contractor for the Whitehern Wall Conservation and Repair project, in the amount of One Hundred and Seventeen Thousand and Five Hundred (\$117,500.) plus applicable Goods and Service Taxes of Eight Thousand and Two Hundred and Twenty Five (\$8,225.) to a total of One Hundred and Twenty Five Thousand Seven Hundred and Twenty Five (\$125,725.), as the lowest qualified and acceptable of six (6) bids received in accordance with tender documents issued; and,
(b) That a contract be entered into satisfactory to the City Solicitor; and,
(c) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.
12. (a) That "Zero Tolerance of Violence in Recreation Facilities Policy", attached hereto as Appendix "A", be approved; and,
(b) That the Director of Culture and Recreation be authorized to implement the policy effective immediately; and,
(c) That the Director of Culture and Recreation be authorized to communicate the implementation of this policy to all affected stake holders; and,
(d) That the Director of Culture and Recreation be directed to report back in one year on the effectiveness of this policy initiative.
13. That approval as required by Parks By-law 95-126, as amended, Section 12, and subject to the standard terms and conditions of the Special Events Guidelines, be given to the Hamilton Tiger Cat Football Club (1097694 Ontario Ltd.) to hold a beer garden as a pre-game party on Monday, 1997 September 1st at 5:00 - 6:30 p.m., and on Saturday, 1997 September 6th at 2:00 - 3:30 p.m. in the east end zone of Brian Timmis Stadium. **ADDED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Jackson. -1.

CARRIED.

Respectfully Submitted,

**ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1997 August 19

CITY OF HAMILTON

DEPARTMENT OF CULTURE AND RECREATION

ZERO TOLERANCE OF VIOLENCE IN RECREATION FACILITIES POLICY:Policy Statement:

The City of Hamilton's recreation facilities: arenas, recreation centres, outdoor pools and parks sports pitches exist to provide residents with opportunities to participate in sport and other recreational activities in a safe and positive environment. The City will ensure the most supportive climate possible for Hamilton children, so that they can enjoy their sport, and learn about competition, teamwork, sportsmanship and fair play.

As with many Ontario communities, Hamilton's minor sport system is managed and operated by volunteers. These community-minded citizens contribute in many ways to the success of minor sport in Hamilton. It is the City's responsibility that they, too, have the ability to work in a safe and positive environment.

It is critical, then, for the City, via the Department of Culture and Recreation to do all things necessary to ensure that deterrents are in place to ensure that incidents of violent behaviour do not occur in its recreation facilities.

Included in this commitment is an understanding that organizations that rent City facilities must take PRIMARY responsibility for the behaviour of all associated with them: players, officials and spectators.

Statements of Principle:

1. Participation by children in sport is an important element in the human development process.
2. To ensure maximum enjoyment and benefits from participation in sport, the maintenance of a safe and positive environment is essential.
3. The rules of each of the games exist to protect the players. Referees/officials are charged to ensure the fair and even application of the rules and to ensure safety of the players.
4. These referees/officials as well as organizers of minor sport, are for the most part volunteers and, as such, the City must put measures in place to ensure their safety.
5. Violent or abusive behaviours, such as verbal threats and insults, attempts to intimidate as well as physical assault and battery have no place in the City's recreation facilities.
6. Promotion of spectator "positive cheering" will assist in the reduction of violent behaviours in City facilities.

Goals of the Policy:

1. To reduce or eliminate violence from City-owned recreation facilities, including outdoor sports pitches.
2. To promote positive cheering behaviours among spectators and fans.
3. Increase the level of understanding among spectators and fans of the importance of creating a positive and supportive environment for children's sport.

Definition of Violence:

For the purposes of this Policy, the focus is on the behaviour of non-players, except in a situation in which a player leaves the area of play to engage in a violent act.

Violence is seen to be the following behaviours:

- * loud verbal assaults
- * threats and attempts to intimidate
- * throwing of articles in a deliberate or aggressive manner
- * aggressive approaches to another individual
- * physical striking of another individual
- * attempts to goad or incite violence in others

The Consequences:

Individuals who engage in any of the above behaviours will be subject to immediate ejection from the facility and a further ban from all City facilities for a period of time to be determined by the Director of Culture and Recreation.

All incidents will be reported to the Hamilton-Wentworth Regional Police. Criminal charges may follow.

Components of the Policy:

The Education Component:

The Department of Culture and Recreation, with its local sports partners, will undertake a promotional and educational campaign aimed at raising awareness among parents, volunteers and spectators of the Zero Tolerance Policy and, in particular, the importance of their role in creating a positive playing atmosphere in City recreation facilities.

This component will include posters to be hung in all facilities; circulation of the policy to all stakeholders as well as posting of the policy in all City facilities; inclusion of reference to the policy in affiliate organization newsletters/handbooks.

The Enforcement Component:

In accordance with the Occupiers Liability Act, the Occupational Health and Safety Act, the Trespass to Property Act and the Criminal Code, the Policy will detail actions to be taken by staff if violent behaviours are observed or reported by organizations that have rented City facilities. The Procedures section of the Policy will detail actions to be taken.

Implementation:

If approved by Council the policy will take affect on 1 September 1997. The Policy will be implemented in two phases:

The Education Component will be launched immediately in order to provide fair warning to all parties of the Policy and its impacts on their behaviour. It is anticipated that this phase will have an immediate impact but will need to be an ongoing effort.

During the Fall of 1997, staff and volunteer organizations will work together to increase awareness of the policy.

Incidents of a verbal nature will be tolerated initially, but will be noted and raised as an issue by the organization utilizing the facility.

Incidents of a physical nature will be dealt with as in the past. Immediate ejection from the facility, possible banning, and a call to the police.

Staff training will also continue through this phase.

Full Implementation will be achieved by 1 January 1998. It is anticipated that all affected parties will have an awareness of the existence and contents of this policy by this time.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1997 and respectfully recommends:

1. That approval be given Zoning Application ZAC-97-19, Norris Transport, owners, requesting a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations to permit the development of six (6) single family detached dwellings, for the property at 120 Ferrie Street, as shown on the attached map marked as Appendix "A", on the following basis:

- (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as the owner demonstrates that the site is not contaminated and that remediation/clean-up has occurred or may be required in accordance with the "Guidelines for Use at Contaminated Sites in Ontario - June 1996" (as amended from time to time), to the satisfaction of the Regional Environment Department.

City Council may remove the 'H' symbol, and thereby give effect to the "D" District, modified provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled; and,

- (b) That the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations, as contained in Section 10 of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:
 - (i) That notwithstanding Subsection 10(3)(ii), a side yard of at least 1.0 m shall be permitted; and,
 - (ii) That notwithstanding Subsection 10(4)(i), a lot width of at least 8.8 m and a lot area of at least 271.6 m² shall be permitted; and,
 - (iii) That a visual barrier of not less than 1.2 m in height and not more than 2.0 m in height be provided and maintained along the easterly lot line; and,

- (c) The amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1385, and that the subject lands on Zoning District Map E-2 be notated S-1385; and,
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-2 for presentation to City Council; and,
- (e) That upon approval of the Zoning By-law amendment, the North End East Neighbourhood Plan be amended by redesignating the subject lands from "Commercial" to "Single and Double"; and,
- (f) That the proposed modification in zoning is in conformity with the Official Plan for the City of Hamilton Planning Area.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.
-13.

NAYS: Alderman Copps. -1.

CARRIED.

2. That approval be given to Zoning Application ZAC-97-23, DiCenzo Construction Company Limited, owners, requesting a change in zoning from "RT-20" (Townhouse-Maisonette) District to "R-4" (Small Lot Single Family) District for property located west of Upper Wellington Street and north of Rymal Road East, as shown on the attached map marked as Appendix "B", on the following basis:

- (a) That the subject lands be rezoned from "RT-20" (Townhouse-Maisonette) District to "R-4" (Small Lot Single Family) District; and,
- (b) That the Director of Planning and Development be authorized to prepare a By-law to the satisfaction of the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9D for presentation to City Council; and,
- (c) That upon finalization of the Zoning By-law amendment, the approved Ryckmans Neighbourhood Plan be amended by redesignating the subject lands from "Attached Housing" to "Single and Double Residential"; and,
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

3. That approval be given to Zoning Application 97-13, Home by Oakbrook (Nick Uhac), owner, for a change in zoning from "E" (Multiple Dwellings, Lodges Clubs, etc.) District to "RT-30" (Street-Townhouse) District modified, to permit the development of the subject lands for 4, three storey townhouses, for property located between No. 14 and No. 24 East 35th Street, as shown on the attached map marked as Appendix "C", on the following basis:
 - (a) That the lands be rezoned from "E" (Multiple Dwellings, Lodges Clubs, etc.) District to "RT-30" (Street-Townhouse) District; and,
 - (b) That the "RT-30" (Street-Townhouse) District regulations, as contained in Section 13A of Zoning By-law No. 6593, applicable to subject lands, be modified to include the following variances as special provisions:
 - (i) That notwithstanding Section 10F (4) of Zoning By-law No. 6593, the following yards shall be provided and maintained:-
 - (1) a front yard depth of not less than 1.3 m and a 2.3 m depth to the garage;
 - (2) a rear yard depth of not less than 4.7 m; and,
 - (3) a side yard depth of not less than 2.0 m;
 - (ii) That notwithstanding Section 10F (6) of Zoning By-law No. 6593, each dwelling unit shall have a minimum lot area of 102.0 m² and a minimum lot width of 5.93 m;
 - (iii) That notwithstanding Section 18 (9) of Zoning By-law No. 6593, the manoeuvring spaces for the required parking may be provided off-site;
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1386, and the subject lands on Zoning District Map E-35 be notated S-1386; and,
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-35 for presentation to City Council; and,
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
4. That approval be given to Zoning Application 97-04, by Good Shepherd Non-Profit Housing Corporation, prospective owner, for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "DE-3" (Multiple Dwellings) District, modified, to permit the development of the subject lands for a three (3)

storey, 15 unit apartment building for property located at 100 Locke Street South, shown on the attached map marked as Appendix "D", on the following basis:

- (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed zoning district. The holding provision will prohibit the development of the subject lands until such time as the Regional Environment Department has advised in writing that:
 - (i) the applicant has completed "Step 3 - Remedial Work Plan" and "Step 4 -Record of Site Conditions" of the Environmental Assessment and any required works, to the satisfaction of the Regional Environment Department and the Ministry of Environment and Energy; and,
 - (ii) City Council may remove the 'H' symbol, and thereby give effect to the "DE-3" District modified provisions as stipulated in this By-law, by enactment of an amending By-law once this condition has been fulfilled; and,
- (b) That the lands be rezoned from "H" (Community Shopping and Commercial, etc.) District to "DE-3" (Multiple Dwellings) District; and,
- (c) That the "DE-3" (Multiple Dwellings) District regulations, as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:
 - (i) That notwithstanding Section 10C(3), a front yard of a depth of not less than 2.0 m shall be provided and maintained along the entire southerly boundary of the subject lands; and,
 - (ii) That notwithstanding Section 10C(3), a side yard of a depth not less than 2.0 m shall be provided along the entire easterly boundary of the subject lands; and,
 - (iii) That notwithstanding Section 10C(3), a side yard of a depth not less than 4.0 m shall be provided along the entire westerly boundary of the subject lands; and,
 - (iv) That notwithstanding Section 18A.(1) of Zoning By-law No. 6593, not less than 13 parking spaces shall be provided and maintained on the subject lands; and,
 - (v) That notwithstanding Section 18A.(1) of Zoning By-law No. 6593, no loading space shall be required on the subject lands; and,

- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1387, and the subject lands on Zoning District Map W-13 be notated S-1387; and,
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-13 for presentation to City Council; and,
 - (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
 - (g) That upon finalization of the implementing By-law, the approved Kirkendall North Neighbourhood Plan be amended by redesignating the subject lands from "Commercial" to "Low Density Apartments."
- 5.
- (a) That the City of Hamilton consents to the application of Dicenzo Construction Company and Sunshine Construction Inc. for the rezoning of Block "3" being Part of Upper Horning Road (Part 5, 62R-9295) as shown on the attached Appendix "E", which land is to be sold by the City to the applicants and forms part of the rezoning application herein. The City agrees to sign all such requisite documents in relation to such application; and,
 - (b) That approval be given Sunshine Construction Inc. and DiCenzo Construction, owners, requesting a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District (Blocks "1" and "2") and "AA" (Agricultural) District (Block "3") to "C" (Urban Protected Residential, etc.) District, to permit the development of ten single family detached dwellings in conjunction with the adjacent lands, for property located east of Omni Boulevard and north of Stone Church Road West, as shown on the attached map marked as Appendix "F", on the following basis:
 - (i) That Blocks "1" and "2" be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc) to "C" (Urban Protected Residential, etc) District; and,
 - (ii) That Block "3" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
 - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37C for presentation to City Council; and,
 - (iv) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

6. That the Planning and Development Department proceed with a City Initiative within the Montgomery Creek Watershed area attached hereto as Appendix "G", from "A" (Conservation, Open Space, Park and Recreation) District to "B-2" (Suburban Residential, etc., and "R-4" (Small Lot Single Family Detached) fronting on Mud Street.
7. (a) That the Corporation of the City of Hamilton as expropriating authority, apply to the Council of The Corporation of the City of Hamilton as approving authority for approval to expropriate the following lands for walkway and other municipal purposes:
 - (i) Part of Lot 14, Registrar's Compiled Plan 1391, having a frontage of 8.546 meters (28.04 feet) along the southern limit of King Street East, and a frontage of 6.621 meters (21.72 feet) along the northern limit of Main Street East, comprising an area of 647.1 square metres (6,965.16 square feet), as shown as Part 5 on Plan 62R-14129 (No. RB-H-578 Surveys), also known as part of municipal number 248 King Street East, Hamilton; and,
 - (b) (i) That the City Solicitor be authorized and directed to initiate expropriation proceedings, and that the Manager of the Real Estate Division be authorized and directed to retain an independent fee appraiser to prepare an appraisal of market value; and,
 - (ii) That the costs of the acquisition be charged to Account No. CF 5590 409755037 (Downtown Phase of the Ferguson Avenue Master Plan - Pedestrian/Bike Link - Land Acquisition); and,
 - (c) That the City Clerk be authorized and directed, pursuant to The Expropriation Act, to:
 - (i) Give Notice of the City's application to all owners, registered owners and tenants (as defined in The Expropriations Act) of the said land; and,
 - (ii) Advertise the Notice of the City's application in a newspaper as required by The Expropriations Act; and,
 - (iii) Sign and receive the said application for approval to expropriate.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Copps. -1.

CARRIED.

8. That the Building Commissioner be authorized to approve a demolition permit for 272 Wellington Street North, in accordance with By-law 74-290 pursuant to Section 33 of the Planning Act, as amended. **REPLACED.**

9. That approval be given to the revised east elevation plans dated 1997 May 6, attached hereto and marked as Appendix "H", as an amendment to the Heritage Permit for the Fearman House located at 90 Stinson Street, Hamilton, as adopted by City Council on 1997 March 25.

10. (a) That the Barton Village B.I.A. boundaries be expanded in a westerly direction to Ferguson Avenue and, in an easterly direction to Sherman Avenue North, incorporating the Westinghouse facilities as well as 139 Oak Avenue as per Appendix "I"; and,
- (b) That the City Clerk's Department be authorized and directed to circularize the existing and proposed expansion area with the notice of intent to amend the designating By-law in accordance with Section 220 of the Municipal Act; and,
- (c) That the Law Department be authorized and directed to prepare the necessary amending By-law; and,
- (d) That in accordance with the Municipal Act, Section 220, Westinghouse Canada Inc.'s B.I.A. levy be based on one-third of its realty assessment for its facilities municipally known as 29 Princess Street, 286 Sanford Avenue North and 42 Westinghouse Avenue, since it will not receive as much benefit from the designation of the B.I.A. as do other businesses within the proposed expansion of the Barton Village B.I.A.; and,
- (e) That in accordance with the Municipal Act, Section 220, sub-section (19), the City Clerk's Department be authorized and directed to give the requisite notice of the intent to pass a By-law reducing Westinghouse Canada Inc.'s property assessment by two-thirds for B.I.A. levy purposes; and,

- (f) That the City Solicitor be authorized and directed to prepare the necessary By-law for (e) above.
11. (a) That Schedule "B" of By-law No. 97-54, appointing the Barton Village B.I.A. Board of Management, be repealed and the following names substituted:

SCHEDULE 'B'

K. Cody	Codys Home Decor Inc.
M. Tollis	The Riviera Banquet Centre
J. Hilger	Ways to Wisdom
K. Jokic	Bank of Montreal
D. Tranor	Dell Pharmacy
N. LaSala	Nick's Auto Service
J. Howard	Econ-o-wash Laundry

- (b) That the City Solicitor be directed to amend Schedule "B" of By-law No. 97-54 pursuant to (a) above.
12. (a) That Schedule 'B' of By-law No. 97-014, appointing the Main West Esplanade B.I.A. Board of Management, be repealed and the following names substituted:

K. Mullholland	Taco Bell
I. Kobylanski	Izzy's Restaurant
M. Farrugia	Calla Decor and Design
J. Castellano	Castellano Real Estate
J. Morrison	Royal Bank
M. Barnard	Barnard & Speziale Design Associates Inc.
B. Hughs	Tim Horton's
M. Gunn	Mor Car Wash

- (b) That the City Solicitor be authorized and directed to amend Schedule "B" of By-law No. 97-014, and replace it pursuant to (a) above.
13. That a loan under the Downtown Convert-Renovate-to-Rent Loan Program in the amount of twenty-four thousand dollars (\$24,000) to Jacqueline Bradley for conversion of 37-39 King William Street into two residential units be approved, subject to the following:
- (a) fulfilment of the borrowing requirements of the Downtown Convert/Renovate-to-Rent Loan Program; and,

- (b) approval by the Ministry of Municipal Affairs and Housing of the Downtown Community Improvement Plan.
- 14.
 - (a) That the funding allocation letter on the Residential Rehabilitation Assistance Program from Canada Mortgage and Housing Corporation for capital funding of \$170,000 of which \$164,000 is deemed to be forgivable, be received; and,
 - (b) That the supplemental agreement be executed.
- 15.
 - (a) That the budget as outlined in Appendix "J" be approved for a Festival (Jazzing Up Barton Fest) to be held 1997 September 20; and,
 - (b) That the City Treasurer be authorized and directed to forward \$8,149(\$9,779 - 20% holdback) for the Festival (Jazzing Up Barton Fest) to the Barton Street B.I.A.. The outstanding balance of \$1,630 to be forwarded upon submission of a statement of account.
- 16.
 - (a) That the budget as outlined in Appendix "K" be approved for a Festival (Barton Brush Over Project) to be held 1997 July 28-31; and,
 - (b) That the City Treasurer be authorized and directed to forward \$180 (\$215 - 20% holdback) for the Festival (Barton Brush Over Project) to the Barton Street B.I.A.. The outstanding balance of \$35 to be forwarded upon submission of a statement of account.
- 17. That the Building Commissioner be authorized to issue a demolition permit for 1471 Upper Sherman Avenue, in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
- 18. That the Building Commissioner be authorized to issue a demolition permit for 35 Rymal Road West, in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
- 19. That the Building Commissioner be authorized to issue a demolition permit for 488 King William Street, in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

20. That the Committee of Adjustment application fee of \$250 for the church at 155 Gage Avenue North be refunded to the owners, Bethany Gospel Chapel.
21. (a) That approval be granted to application CDM-CONV-96-002 submitted by 977340 Ontario Ltd., owner, for a draft plan of condominium for property located at Nos. 1088-1120 Garth Street and 101-117 Bonaventure Drive to provide for a condominium comprised of 25, two-storey townhouse condominium units, subject to the following conditions:
 - (i) That this approval applies to the attached draft plan dated August 1, 1997 prepared by Ashenhurst Nouwens Ltd., Professional Engineers and O.L.S.; and,
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to the City Solicitor; and,
 - (iii) That prior to approval of the final plan:
 - (1) property taxes shall be in good standing, plan of condominium shall conform with General Zoning By-law 6593 and the Official Plan, and,
 - (2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593; and,
 - (3) that the applicant/owner apply for and receive approval of an amendment to the site plan or an exemption to the satisfaction of the Director of the Planning and Development Department; and,
 - (4) the applicant/owner agrees to pay the Corporation of the City of Hamilton the cost of removing and replacing one 9 inch diameter Norway maple tree and one 11 inch diameter Red Oak tree presently located on municipal property, fronting on Bonaventure Drive. The cost for removal and replacement of both trees is \$3,100; and,

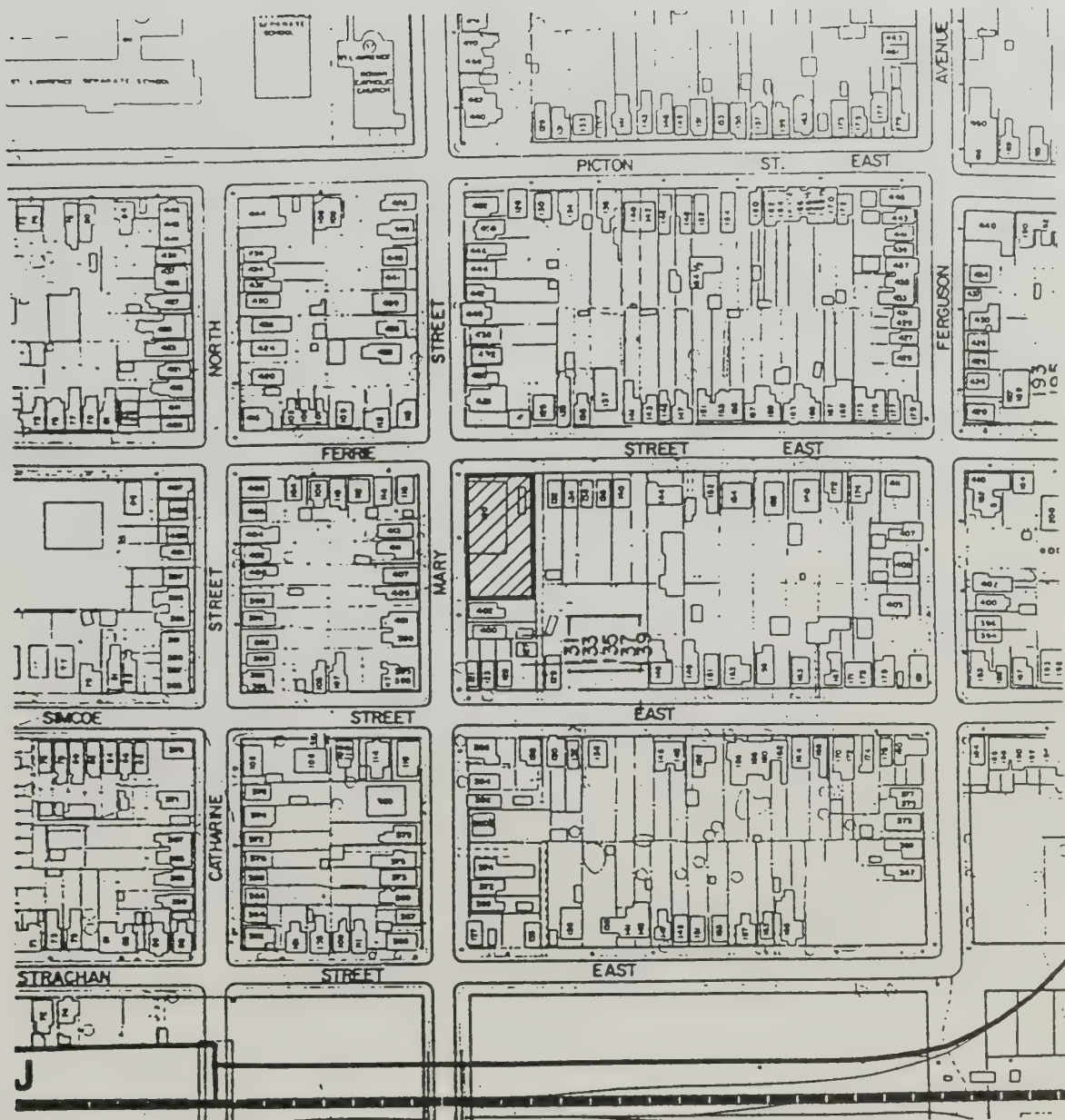
- (iv) That the owner shall have received the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium (Application CD-96-001); and,
 - (v) That the owner shall have satisfied all requirements, financial and otherwise of the Regional Municipality of Hamilton-Wentworth and that the City be advised by the Regional Municipality of Hamilton-Wentworth that this condition has been carried out to its satisfaction. The clearance letter from the Regional Municipality shall include a brief statement for each condition detailing how it has been satisfied and carried out; and,
 - (vi) That the Director of Planning and Development shall have been satisfied that the conditions of approval are fulfilled or provided for as required; and,
 - (b) That the Mayor and the City Clerk be authorized to grant draft approval by signing the draft plan; and,
 - (c) That the Mayor and City Clerk be authorized to sign the final plan of condominium once the requirements herein are completed.
22. That the appropriate staff (eg. Law and Planning and Development Departments) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-97-114, respecting property located at No. 665 Upper James Street (Wal Mart).
23. That City Council request the City Clerk to advise the Hamilton Region Conservation Authority that it supports the draft Spencer Creek Watershed Management Plan.
24. That approval be given to Site Plan Control Application DA-97-12 by Petro Canada, owner, of lands at 840 Upper James Street, as shown on the attached map marked as Appendix "L", for development of a third party/billboard, subject to the following:
- (a) modifications to plans in relation to notes, and dimensions, as marked in blue on the plans; and,
 - (b) submission of a Landscape Plan to the satisfaction of the Director, Planning and Development Department.

25. (a) That the Chairperson of the Local Architectural Conservation Advisory Committee, or her designate, be authorized to attend either the Community Heritage Ontario Conference and Annual General Meeting in Victoria Harbour and Penetanguishene, Ontario, from 1997 September 26-28 or the Heritage Canada Conference in Ottawa, Ontario, from 1997 October 16-18; and,
- (b) That the Conference costs in the estimated amount of \$500 be financed through the Legislative Travel Account No. CH 55201 10010.
26. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) C-55 A By-law to Amend By-law No. 86-99 as Amended by By-laws No. 92-056 and 97-010 Respecting Members of the Board of Management of the Ottawa Street North Business Improvement Area.
- (b) C-56 A By-law to Amend Zoning By-law No. 6593 and to Repeal Zoning By-law No. 94-027 Respecting Land Located at Municipal No. 73 Garfield Avenue South.
27. That Zoning Application ZAR-97-18, Enio Prosperi, Vera Prosperi, Maurio Prosperi and Cesare Prosperi, owners, requesting a change in zoning from "C" (Urban Protected Residential, etc) District to "R-4" (Small Lot Single Family) District, for the rear lands of 5 Dodson Street which front onto Welbourn Drive and north of McElroy Road East, as shown on the attached map marked as Appendix "M", be denied because the proposed application is not considered to be consistent with the established residential character of the neighbourhood. **ADDED.**

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Stella Glover, Secretary
1997 August 20**



Legend



Site of the Application

Reference File No.

ZAC-97-19

Drawn By Date

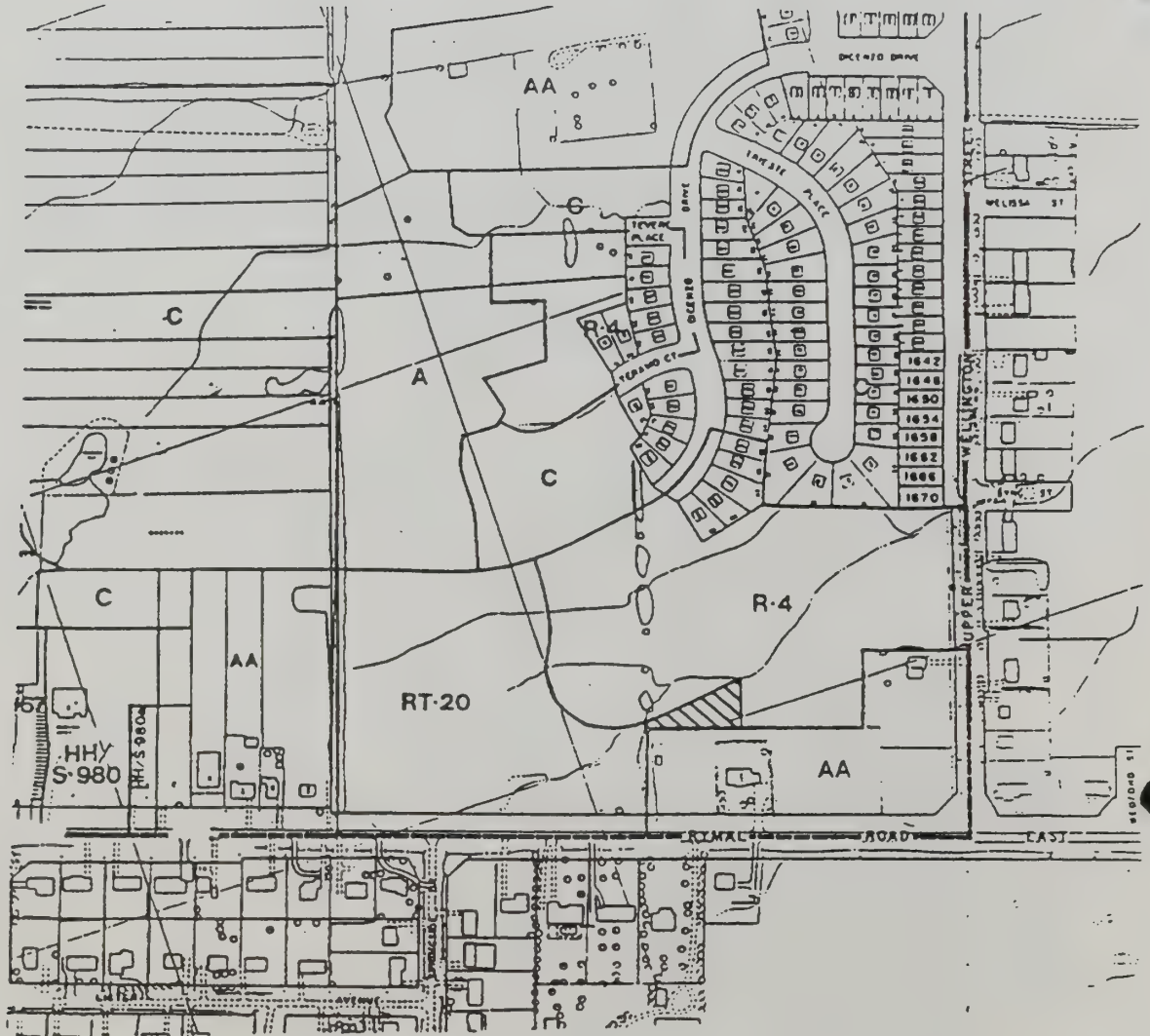
W. B. May 1997

Scale

NOT TO SCALE

North



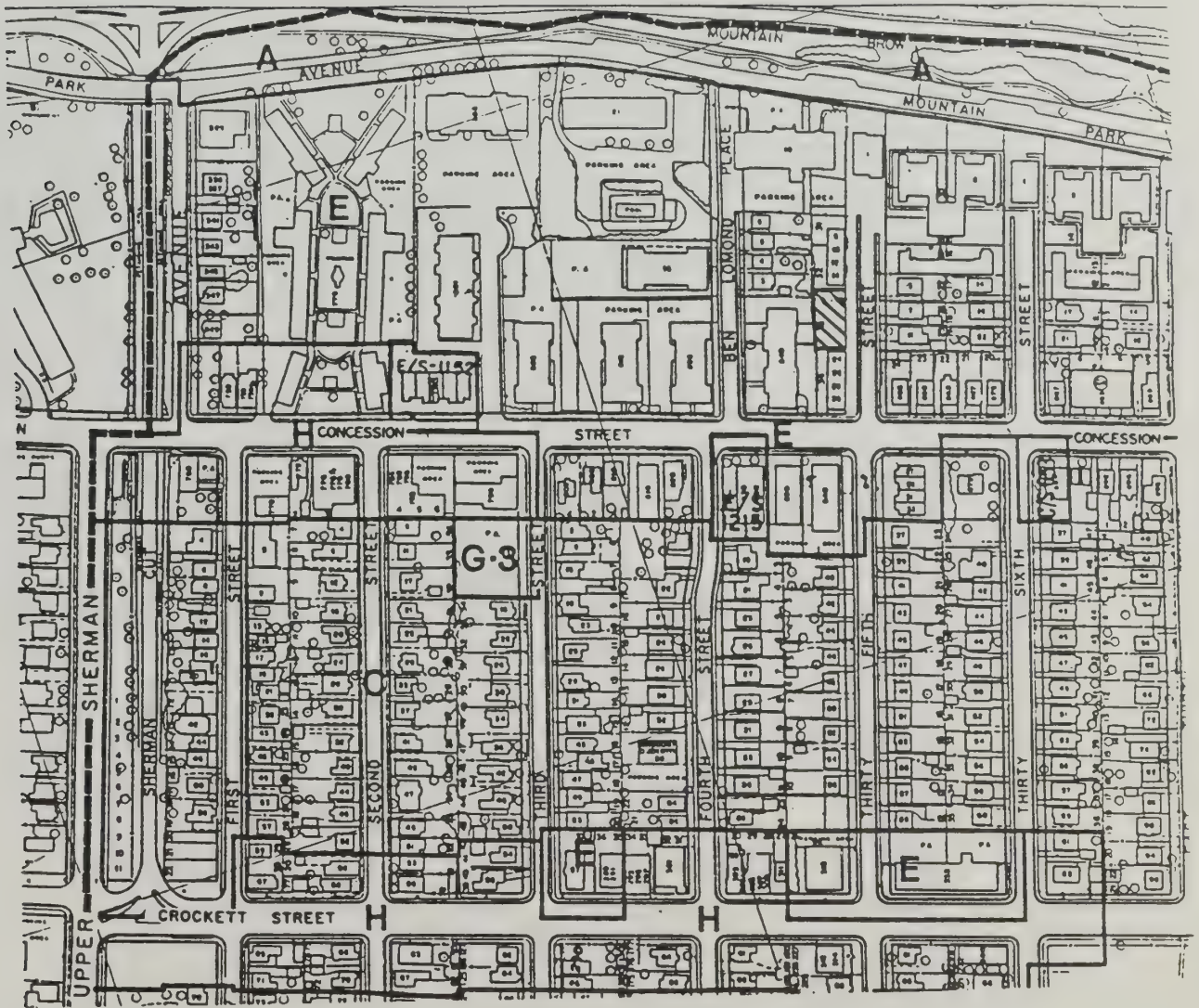


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Site of the Application

ZAC-97-

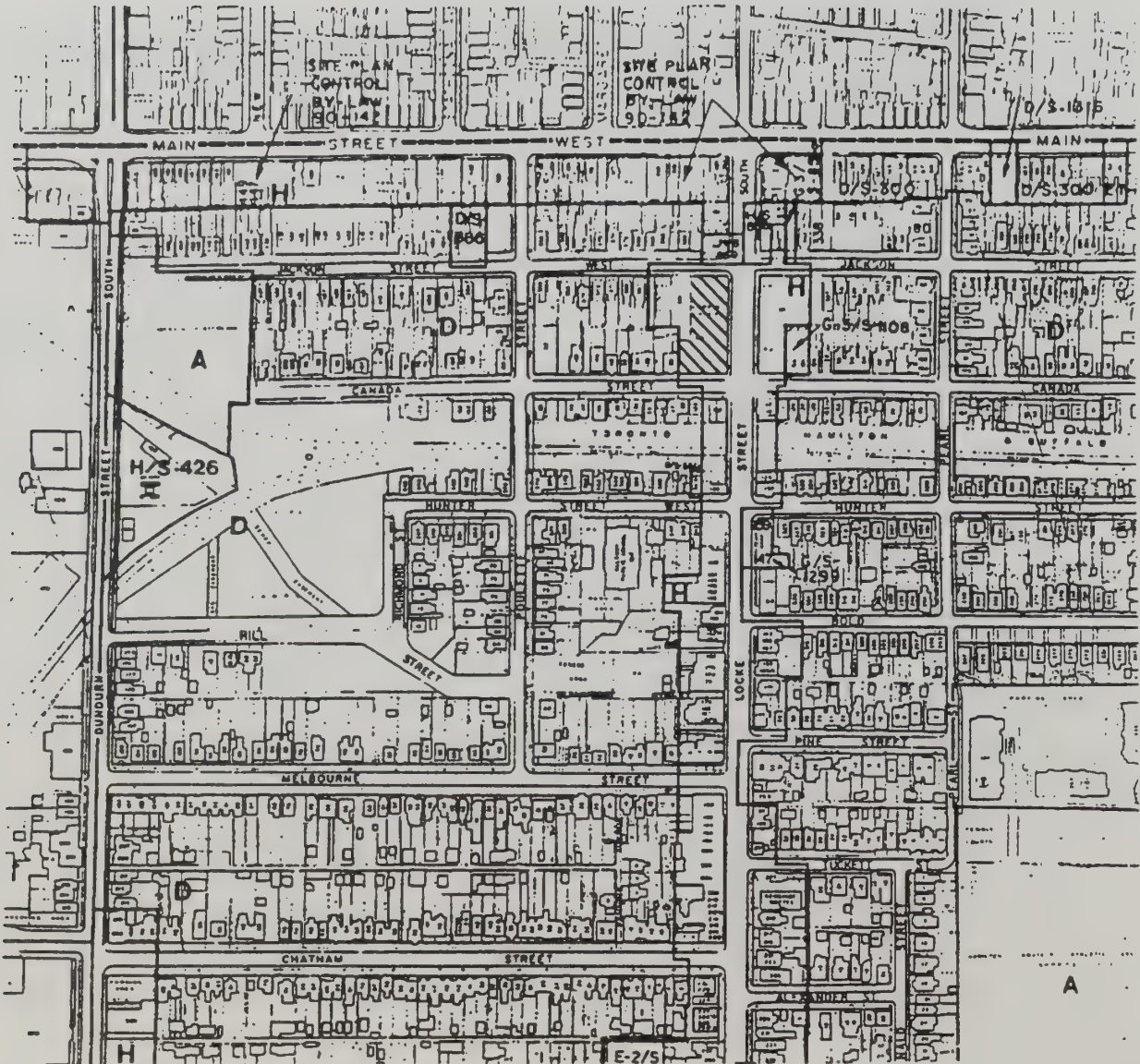


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Site of the Application

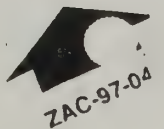
ZAC-97-13

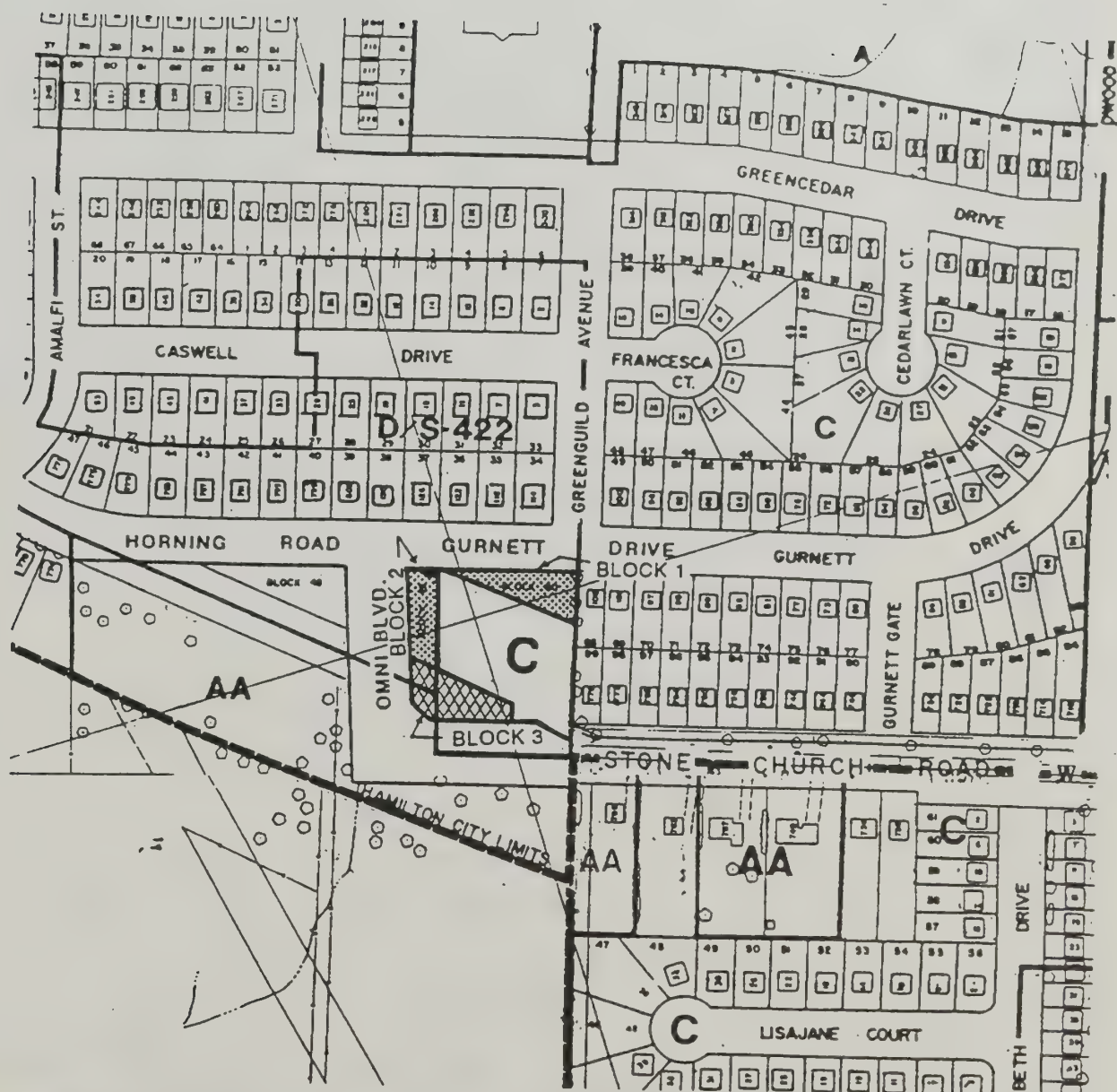


Legend



Site of the Application





Legend

Change in Zoning :

BLOCK 1 & 2



From "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District modified to "C" (Urban Protected Residential, etc.) District; and

BLOCK 3



From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and

Reference File No.

ZAC-97-21

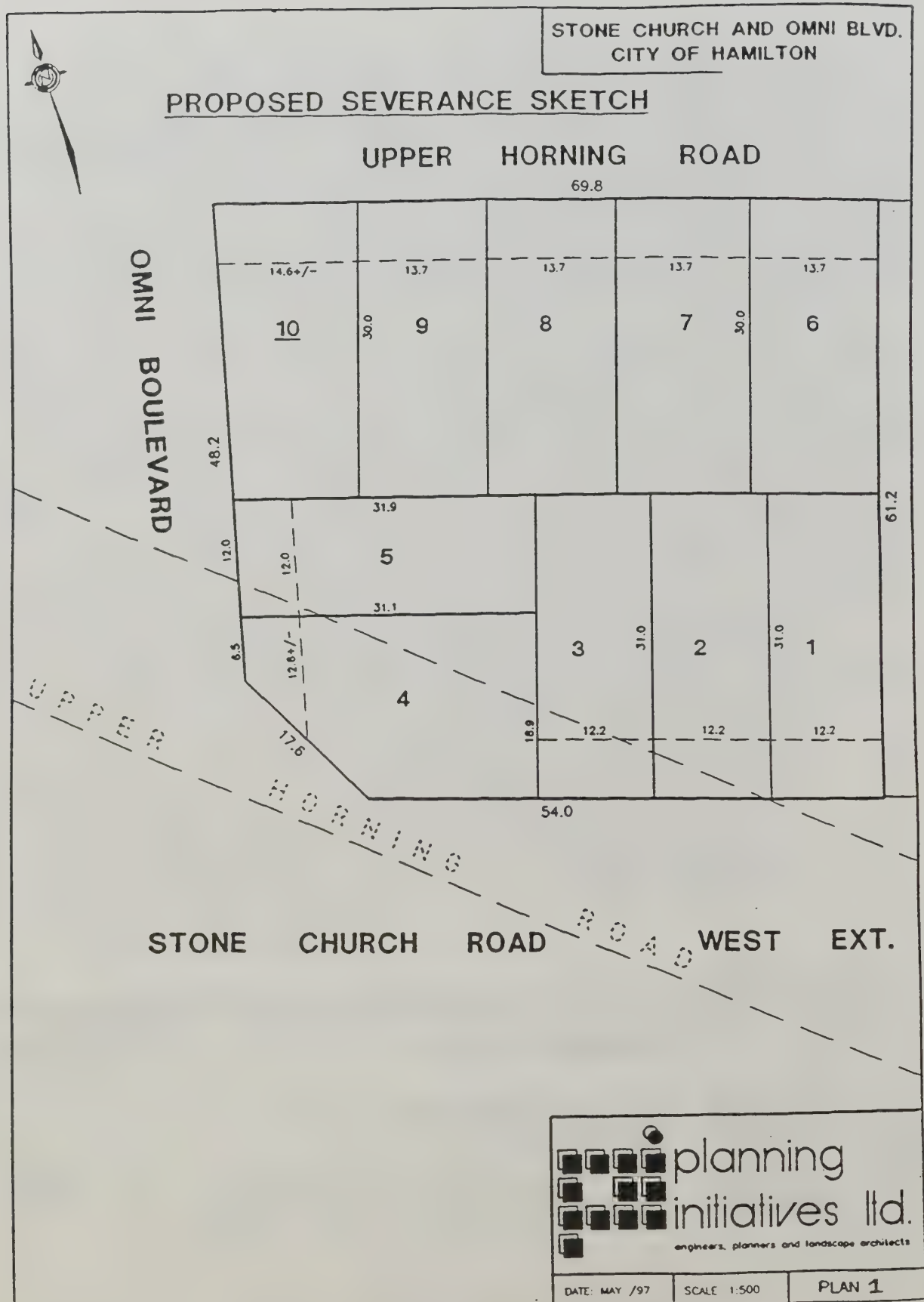
Drawn By Date

W.B. June 1997

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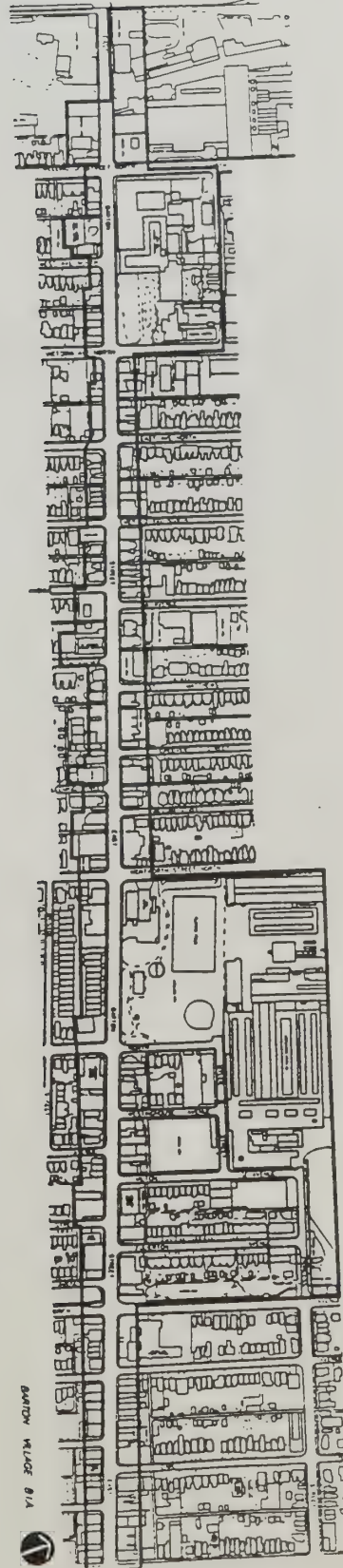
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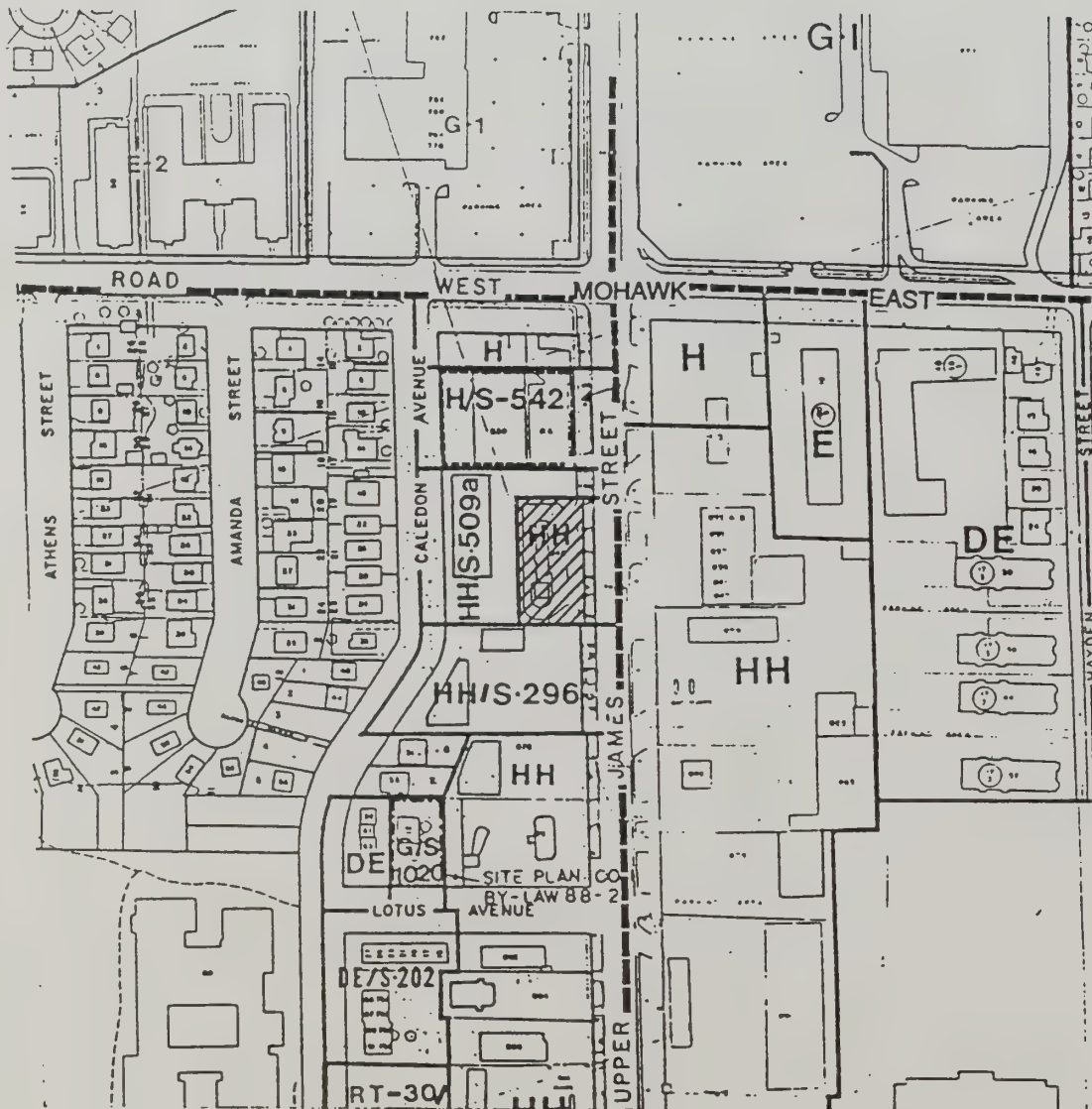
Jazzing Up Barton Fest

Calvin the Magician	\$ 175.00
Absolutely Clowns	450.00
Pony Rides	400.00
Vasco Da Gamma Folk Dancers	100.00
Jude Johnson	350.00
Reggies Sound	600.00
T-Shirts Breakaway	700.00
Bounce with Us	120.00
Advertising Y-95	2,500.00
Advertising Admiral	150.00
Posters	600.00
Portable Toilets	300.00
Health Dept Permits	90.00
Classic Touch Children Stories	90.00
Parking Authority	100.00
Street Closure	399.00
Band #1 Dubay's	300.00
Band #2 Ronnie and the Rockets	350.00
Busker Larry McDonald	175.00
Police Officer	200.00
Contingency	\$ 1,630.00
Total Festival Cost	<u>\$ 9,779.00</u>

Barton Brush Over Project

Supplies	\$ 83.00
Lunch Food	\$ 80.00
Paint the Town Celebration	\$ 37.00
Thank you Certificates	\$ 15.00
Total	<u>\$ 215.00</u>

1997 August 26



City of Hamilton

Plan Showing Lands Subject to Site Plan Control Application DA-97-12

Planning and Development Department

Legend



Site of the Application

North

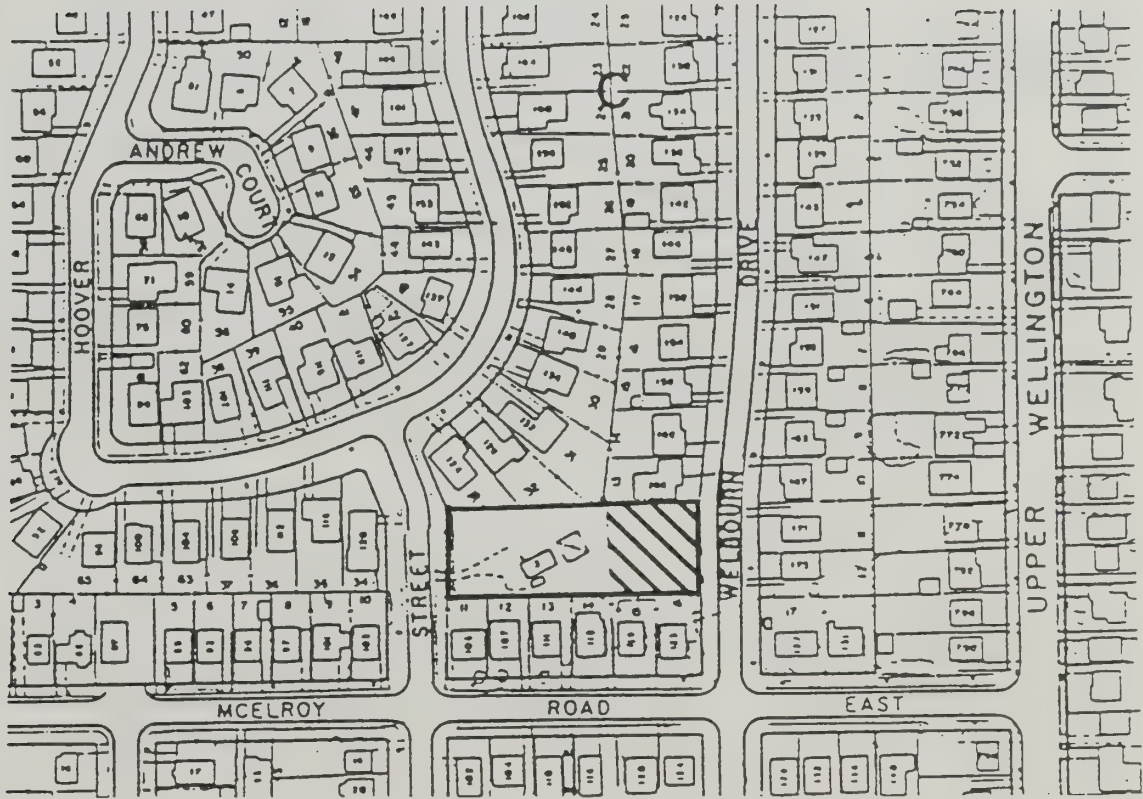


Scale
Not to Scale

Date
APRIL 1997

Reference File No.
DA-97-12

Drawn By
P.A.



Legend



Site of the Application

ZAR-97-18

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **NINETEENTH** Report for 1997 and respectfully recommends:

1. That a Task Force consisting of Aldermen Charters, Wilson and Collins and a representative from Regional Council be established to work with staff to bring back a recommendation to the Finance and Administration Committee respecting 1997 Base Budget Reductions for the Information Systems Department. **AMENDED.**
2. That the City reimburse the Hamilton Professional Fire Fighters Association in the amount of \$1,265.42 for fees paid to Stanley Simpson, Solicitor, who represented a Firefighter charged with a traffic violation in 1994, which charge was subsequently dismissed, and that such payment be charged to Unclassified Account CH 55195-24201.
3. (a) That the City disburse the funds received from the Jockey Club Tavern Ltd., in part payment of its obligations pursuant to settlement arrangements in Ontario Court (General Division) Action #2353/86; and Court of Appeal File # C16095 as follows:
 - (i) To the City of Hamilton in recovery of legal expenses, \$18,546.96 (to be credited to Account CH55425 44001); and,
 - (ii) To the Ottawa Street B.I.A. \$44,342.16; and,
- (b) That the City Solicitor investigate the prospects for making recovery of the balance due under the settlement from one or more responsible parties.
4. (a) That the City resolve Ontario Court (General Division) Action #10067/95 by the payment to the Plaintiffs, Brock Peavoy, Velvet Peavoy and David Jenkins of the sum of \$3,500, inclusive of all claims for damages, interest and costs; and,

- (b) That the adult Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That the Plaintiffs be required to obtain the appropriate Court approval of the infant portion of the settlement and that the balance of the action be dismissed as against the City without costs.
- 5.
 - (a) That the City resolve Ontario Court (General Division) Small Claims Court Action No. 8515/96 by the payment to the Plaintiff, John Randazzo, of the sum of \$150, inclusive of all damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Small Claims Court Action No. 8515/96 and any cross-claim or counter-claim be dismissed without costs.
- 6.
 - (a) That an Option to Purchase, executed by Helen Barron on 1997 July 30 and scheduled to close on or before 1997 November 12, for lands situated in the City of Hamilton, being composed of Lot 420, Registered Plan 584, with a frontage of 7.62 metres (25 feet) more or less, by a depth of 30.48 metres (100 feet) more or less, including a mutual driveway (northerly 4 feet and 8 inches to a depth of 82 feet) municipally known as 555 Kenilworth Avenue North, be approved and completed for the purchase price of \$69,000; and,
 - (b) That as consideration in the amount of \$2 has been paid to the owner pursuant to the Option to Purchase document, this amount be deducted from the purchase price; and,
 - (c) That the Manager of Real Estate be authorized to proceed with the demolition of the existing single family dwelling at 555 Kenilworth Avenue North at a cost not to exceed \$8,000 once vacant possession has been received; and,
 - (d) That this property purchase be financed from the Reserve for Alpha Enclaves, Account Centre No. CH00116; and,
 - (e) That the Mayor and City Clerk be authorized and directed to execute all necessary documents.

7. (a) (i) That an Option to Purchase, to be executed on or before 1997 August 19 by Theatre Aquarius Incorporated (Max Reimer, Managing Artistic Director) and scheduled to close on or before 1997 September 30, for lands situated in the City of Hamilton, being composed of Parts 1, 2 and 3, Plan 62R-14190, being an irregular shaped parcel of land with a frontage of 28.109 metres (92.22 feet), more or less, on King William Street, and comprising an area of 0.137 hectares (14,746 square feet), more or less, subject to a vehicular right-of-way to be reserved in favour of the Vendor over Parts 2 and 3, Plan 62R-14190, municipally known as part of 190 King William Street, be approved and completed, and the purchase price of \$1 be credited to Account Number CH 5X326 00102 (Reserve for Property Purchases); and,
- (ii) That it is understood and agreed:
- (1) The Vendor and the Purchaser agree to execute a Surrender of Lease relating to the lease agreement and renewal thereto between the parties dated 1993 January 29 and 1995 November 15 respectively (collectively called the "lease"). It is acknowledged and agreed that such Surrender of Lease shall take effect on the closing of the herein transaction. The Vendor understands and agrees that such Surrender will result in the loss of any and all parking rights which may have been reserved to the Vendor; and,
 - (2) Theatre Aquarius Incorporated will provide prior to closing written consent from the Commissioner of Finance of the Regional Municipality of Hamilton-Wentworth to the sale of the herein lands as required by the Operating Agreement dated 1996 November 1 between Theatre Aquarius Incorporated and The Regional Municipality of Hamilton-Wentworth; and,
 - (3) The closing of this Option to Purchase is conditional upon The Corporation of the City of Hamilton accepting an Offer to Purchase executed by Municipal Non-Profit (Hamilton) Housing Corporation for the purchase of the lands shown as Parts 1, 2 and 3 on Plan 62R-14190. The said Offer to Purchase and this Option to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other; and,
- (iii) That the Mayor and City Clerk be authorized and directed to execute all such documents required to effect such Surrender of Lease as may be required by the City Solicitor; and,

- (b) That the following property be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law 95-049:

"lands situated in the City of Hamilton, being composed of Parts 1, 2 and 3, Plan 62R-14190, being an irregular shaped parcel of land with a frontage of 28.109 metres (92.22 feet), more or less, on King William Street, and comprising an area of 0.137 hectares (14,746 square feet), more or less, subject to a vehicular right-of-way to be reserved in favour of the Vendor over Parts 2 and 3, Plan 62R-14190, municipally known as part of 190 King William Street"; and,

- (c) (i) That an Offer to Purchase, to be executed on or before 1997 August 19 by Municipal Non-Profit Hamilton (Housing) Corporation (Mark Mascarenhas, General Manager and Alderman Robert Charters, President) and scheduled to close on or before 1997 September 30, for lands situated in the City of Hamilton, being composed Parts 1, 2 and 3, Plan 62R-14190, being an irregular shaped parcel of land with a frontage of 28.109 metres (92.22 feet), more or less, on King William Street, comprising an area of 0.137 hectares (14,746 square feet), more or less, subject to a vehicular right-of-way to be reserved in favour of Theatre Aquarius Incorporated over Parts 2 and 3, Plan 62R-14190, municipally known as part of 190 King William Street, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$177,928 be credited to Account Number CH 14001 00001 (Realty Taxes Receivable); and,
- (ii) That it is understood and agreed that the purchase price herein shall, on closing, be applied by the City Treasurer to the outstanding realty taxes, interest, and penalty owed in respect of the herein lands and adjacent lands owned by Theatre Aquarius Incorporated; and,
- (iii) That it is understood and agreed that this Option to Purchase and Sale resulting from the acceptance thereof is condition until closing upon the following:
- (1) The Purchaser entering into a parking lot operating agreement with The Corporation of the City of Hamilton (Parking Authority for the City of Hamilton) on terms satisfactory to the parties which will provide that the Parking Authority will be the parking lot operator until such time as a building permit is issued for construction on all or part of the subject land; and,

- (2) The Municipal Non-Profit (Hamilton) Housing Corporation agrees to pay all registration costs, land transfer tax costs, and other tax or cost implications incurred by the City of Hamilton in connection with the herein transaction and the Option to Purchase of the lands with Theatre Aquarius Incorporated; and,
- (3) The closing of this Offer to Purchase is subject to the City of Hamilton accepting and completing an Option to Purchase executed by Theatre Aquarius Incorporated for the purchase of the lands shown as Parts 1, 2 and 3 on Plan 62R-14190. The said Option to Purchase and this Offer to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other; and,
- (iv) The Mayor and City Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the City Solicitor; and,
- (v) That in accordance with the Real Property Sales Procedural By-Law No. 95-049:
 - (1) Satisfactory notice has been given to the public of the intended sale; and,
 - (2) An appraisal of the fair market value of the real property being sold was obtained on 1997 March 25 and received on 1997 August 19; and,
 - (3) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed to Section 193 of the Municipal Act.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Copps. -1.

CARRIED.

- 8. (a) That Telecom Computer, Burlington be the designated supplier for Hewlett Packard printers for the months of 1997 September, October and November, as submitting the lowest quote (\$58,593) of nine (9) proposals received in accordance with specifications issued by the Purchasing Department and Vendor's proposal of 1997 May 26th; and,

- (b) That funding be provided from Account # CH56605-26032 (Rent-Computer Equipment).

- 9. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

84 Hildegard Dr.	529 Concession St.
1527 Upper Ottawa St. #13	1527 Upper Ottawa St. #12
803 Cannon St. E.	18 San Fernando Dr.
607 Eaglewood Dr.	531 Upper Wentworth
869 Queensdale Ave E.	51 Queenston Rd.
140 Beach Rd.	154 Sanford Ave. N.
382 Sherman Ave N.	1630 Upper Gage Ave.
9 Head St.	84 Burlington St W.
1304 Upper Gage Ave.	132 Ottawa St. S.
141 Balsam Ave. S.	21 Severn St.
191 Sherman Ave N.	65 Magill St.
145 Emerald St. S.	261 Holton Ave S.
332 Gage Ave. N.	560 King St. W.
11 Strathcona Ave. N.	

- (b) That the by-law to authorize the said Extension Agreements be enacted by Council; and,
- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

- 10. That the City exercise its option and that authorization be given to establish an open order with Drew Chemical Limited of Aurora, Ontario for 1998, 1999, 2000 in the amount of approximately \$75,000 per year for the supply of water treatment chemicals for City Hall, Central Utilities Plant, Hamilton Public Library/Market, and Copps Coliseum. This being the only proposal received by the Purchasing Division reference # C14-15-95.

11.
 - (a) That after hearing the evidence and submission of the complainants, Humana House and the Good Shepherd Non-Profit Housing Corporation Inc, the Council of the City of Hamilton hereby confirms the development charges imposed on the property at 100 Locke Street South as being properly imposed pursuant to City of Hamilton Development Charges By-law 95-176; and,
 - (b) That the City of Hamilton provide a grant in lieu of the City's portion of the outstanding realty taxes on 100 Locke Street South to the Good Shepherd Non-Profit Housing Corporation Inc., subject to the following conditions:
 - (i) That the Region of Hamilton-Wentworth agree to write-off the Region's portion of the outstanding taxes; and,
 - (ii) That the Hamilton Board of Education agree to write-off the Board's portion of the outstanding taxes; and,
 - (iii) That the grant not be released for payment of the taxes until the existing mortgage on title is discharged; and,
 - (c) That the City Clerk be authorized and directed to send a formal request to both the Region and the Hamilton Board of Education requesting them to consider forgiveness of their respective portions of the outstanding realty taxes; and,
 - (d) That the City Treasurer be authorized and directed to recommend a method of financing for the City's portion of the taxes.
12. That the City of Hamilton reaffirm its participation in the United Way by participating in the Loaned Representative Program by providing a City employee to work on a full time basis on the annual fund raising campaign.
13.
 - (a) That "American Communities Partnership" be retained to co-ordinate and facilitate a Downtown Vision Workshop and undertake all necessary background research for the Workshop at a cost of \$10,000 (Canadian); and,
 - (b) That the cost of \$10,000 be charged to the Downtown Hamilton Partnership, Account No. CF5698-119755029.
14. That as referred to in Section 44 of the Ninth Report for 1997 of the Transport and Environment Committee respecting the identified shortfall in the 1997 Road and Sidewalk Improvement Programme in the estimated amount of \$580,000, that funding be financed as follows:

- (a) \$168,000 from the Downtown Improvement Project Account No. CF 5200-609755033 (Downtown Hamilton Improvement Plan); and,
 - (b) \$412,000 from any 1997 Year End Surplus available.
- 15. That the cost to finance the expenditures related to the Culture and Recreation Department's Coach House Restaurant operations estimated at \$218,200 be financed as an approved overdraft within the Culture and Recreation Department.
- 16.
 - (a) That the City Treasurer be authorized to commence a process of evaluating alternatives for replacing the existing financial and human resource systems for the City; and,
 - (b) That the purchasing policy and process used for hiring consultants, attached herewith and marked Appendix "A", be followed for the selection process; and,
 - (c) That a full report on the evaluation, recommended solution, cost and funding be forwarded to the Finance & Administration Committee for approval; and,
 - (d) That an amount of \$50,000 be allocated, from the existing funding for Project Management - Tax System, to this project for staffing and/or consultants during the initial selection period; and,
 - (e) That this project be undertaken jointly with the Region of Hamilton-Wentworth.
- 17. That the City of Hamilton's Business Tax Collection Procedures be revised to provide for the assignment of Outstanding Business Tax Accounts in excess of \$2,000 to the Bailiffs, for which immediate collection action is required.
- 18. That as referred to in Section 1 of the Tenth Report for 1997 of the Committee of the Whole, the boarding up of 127 Burton Avenue, at a cost not to exceed \$4,200, be financed from the Unclassified Expenditures Account # CH55134-24201.
- 19. That as referred to in Section 4 of the Ninth Report for 1997 of the Transport and Environment Committee, the City's share, of \$155,800 for the proposed widening of Centennial Parkway at Arrowsmith Road and construction of a traffic turning circle on Cascade Street in conjunction with the Home Depot development, be financed from the Account Centre No. 00107 Reserve for Services through Unsubdivided Lands.

20. (a) That, pursuant to the Municipal Election Act, 1996, approval be given to the City Clerk to submit the following question to the electors on the ballot for the 1997, November Municipal Election:

"Do you agree to a provincially run Casino in the City of Hamilton?";
and,

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Copps. -1.

CARRIED.

- (b) That, pursuant to the Municipal Election Act, 1996, approval be given to the City Clerk to conduct advanced voting for the 1997 Municipal Elections between the hours of 10:00 o'clock a.m. and 8:00 o'clock p.m. on Saturday, 1997 November 1 and Wednesday, 1997 November 5; and,
- (c) That the appropriate By-law be enacted by City Council.

21. That the staffing complement in the Department of Public Works and Traffic - Parks Maintenance Section be adjusted by deleting 1 F.T.E. Sports Groundskeeper 11 and that the staffing complement in the Department of Public Works and Traffic, Parks Maintenance Section, be adjusted by adding 1 F.T.E. Tractor Operator.

	<u>Delete</u>	<u>Add</u>
Sports Groundskeeper 11	1	
Tractor Operator	<u> </u>	<u>1</u>
	1	1
Total change in complement: NIL		

22. That a purchase order be issued to Hamilton Truck Service, Hamilton, in the amount of \$156,807.10 including all applicable taxes, for the replacement of one (1) Salt and Sand Spreader complete with front two-way plow unit #9676 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649751023.

23. That a purchase order be issued to London Machinery, London, in the amount of \$77,737.70 including all applicable taxes, for the purchase of two (2) Hopper/Sanders with underslung plows complete with installation for the maintenance of the Lincoln M. Alexander Parkway, Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Regional Roads Capital Budget, Project Centre 3011732, Purchase of Vehicles/Equipment.
24. That a purchase order be issued to Hamilton Truck Service, Hamilton, in the amount of \$313,614.20 including all applicable taxes, for the purchase of two (2) Salt and Sand Spreaders complete with front two-way plows for the maintenance of the Lincoln M. Alexander Parkway, Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Regional Roads Capital Budget, Project Centre 3011732, Purchase of Vehicles/Equipment.
25. That the City's policy respecting a refund of the 5% land dedication fee for the development of detached single family dwellings approved by City Council on 1996 July 9th for a one year period be extended specifically to apply to the property at 771 Limeridge Road East until 1998 February 10th.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Eisenberger -1.

CARRIED.

26. That the Building Commissioner be authorized and directed to refund to the applicant, Valery Construction Limited, the equivalent to the 5% land dedication collected by the City of Hamilton under Section 51.1 and 53 of The Planning Act for Lots 1 - 14 in Ridgeview Estates Phase 3 in the amount of \$16,100.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Wilson, Eisenberger -2.

CARRIED.

27. (a) That the natural gas Agency Agreement between the City of Hamilton and Union Gas Limited be revised to reflect a change from the current Western Buy/Sell Agreement to a Bundled Transportation (Bundled-T) Service Agreement effective 1997 November 1 at no additional cost to the City; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute the revised natural gas Agency Agreement between the City and Union Gas Limited in a form satisfactory to the City Solicitor; and,
- (c) That the City's current supplier of natural gas, Engage Energy Canada L.P., be paid a fee of \$0.025/gigajoule (approximately \$6,000 per year) beginning 1997 November 1 until the end of the existing term in 1999 October 31 for Energy Management Services to assist the City in managing its natural gas procurement, with said cost to be accounted for within existing energy budgets.
28. That By-law No. 85-148 on the Control and Licensing of Dogs be amended to require dogs that are suspected of biting a person or other animal to wear a muzzle.
29. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) D-48 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-49 A By-law Respecting: Municipal Election Matters.
- (c) D-50 A By-law to Amend: By-law No. 85-148 Respecting: The Control and Licensing of Dogs.
- (d) D-51 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.
30. That the Ministry of Environment & Energy be requested to enforce the 1995 Court Order to require that sandblasting containment equipment be installed at the property at 830 Dunn Avenue. **ADDED.**

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 August 19**

Process for Selection of Corporate Financial and Human Resource Software

Phase I

1. Invite known vendors (see list below) to make presentations to demonstrate their systems and how they will meet the pre-defined set of functional and technical needs. Advertisements will be placed, in the Globe and Mail, The Spectator, and the City Web page on the internet, to solicit any other vendors not listed.
2. Conduct an in-depth analysis to determine a short list of, a minimum of 2 and a maximum of 5, vendors to move on to Phase II of the evaluation.

Phase II

1. Request detailed costs, from each short-listed vendor, providing a menu of options ranging from base costs to providing a fully implemented system on a turnkey basis.
2. Provide on-site testing of their system on the City network.
3. Provide a reference of one site where their system has been implemented for the purpose of a site visit.
4. Develop a business case for preferred option and make recommendation to F&A Committee and Council

List of Vendors:

- GEAC (Software Current vendor)
- J.D.Edwards & Co
- Baan
- SAP
- Oracle
- Peoplesoft
- Systems Union Inc. (Sun Systems)

PHASE I CRITERIA

Evaluation

In order to facilitate the software selection, an evaluation team consisting of internal staff from the City and Region will be assigned to carry out an evaluation of each vendor's software offering.

Evaluation Criteria

i. Functional Reporting

Emphasis will be on determining how the software meets the City's and Region's immediate requirements. These requirements include:

- (1) General Ledger
- (2) Budget
- (3) Accounts Payable
- (4) Purchasing
- (5) Payroll
- (6) Human Resources

(Detailed and specific requirements will be prepared under separate cover)

ii. Management Reporting

Emphasis will be given to the software's ability to facilitate the following business functions:

- (a) **Analytical processing** - drill down capability for analysis and reporting are powerful management tools. Ability to provide financial and performance measurement data for what-if analysis, graphical output and interactive access are all critical to today's managers.
- (b) **Work-flow integration** - Provides productivity and communications enhancement opportunities by streamlining work-flows across various systems.
- (c) **Activity Based Costing** - Ability to accumulate costs on a pre-determined unit of measure for an activity or program.

- (d) **Performance measurement** - Today's management reporting systems must provide the ability for the accumulation of not only financial data but also units of measurement for the services provided. Provincial reporting requirements are changing to require reporting on pre-determined performance measures.
- (e) **Flexible Reporting** - New management Support systems must be flexible enough to allow for defining how and where resources are utilized and services delivered. Specifying the output measures, like number of kilometres of road maintained or side-walk repaired, are now becoming mandatory requirements for all new systems
- (f) **Budget preparation** - The budget preparation process is no longer a simple number crunching process. Increasing costs, through down-loading, and zero percent increases require managers to have an interactive budget process to be able to create scenarios and perform "what-if" type analysis. Integration with data from other systems like payroll and Human Resources are critical to the whole budget preparation process.

iii. 21st Century Sustainability

Functional requirements are usually developed on the basis of past needs. Ability to meet the needs of the past is no longer the only criteria for selecting software. Systems that provide future functionality must be given credit for forethought and cost savings built into the business case. Systems that provide, for example, internet readiness or EDI (electronic data exchange) should be considered as key factors to being able to meet the changing environment demands without additional costs for upgrading. Vendor viability, cost of ownership and support are also important criteria for the future viability of the chosen software. Attention will be given to the vendors financial strength, market focus, customer satisfaction, R&D investment and product strategy.

iv. Technical

- "IEEE" 802.3 Network (ethernet), with TCP/IP protocols
- Clients must have WIN95 or WINNT
- Server WINNT server
- System must run on INTEL or INTEL and ALPHA Server
- Preferred database is Microsoft SQL Server

v. **Overall**

Overall attention will be paid to the software's robustness, reliability, internal security control and responsiveness. Consideration will be given to things such as ease of navigation, quality of help available, and look-up capabilities. It is important that at a minimum there be on-line inquiry access to information and on-line requisition entry. In order to facilitate our implementation strategy the software should be available in combination of character base, GUI, and client server modes.

PHASE II CRITERIA

TOTAL SYSTEM COST

A. Total System Cost must include at least the following:

- One-time licensing cost of the following:
 - (i) General Ledger
 - (ii) Budget
 - (iii) Accounts Payable
 - (iv) Purchasing
 - (v) Payroll
 - (vi) Human Resource
 - (vii) Maintenance Management (Activity Based Costing)
 - (viii) Accounts Receivable
- Consulting/integration implementation services
- Any network upgrades, hardware (Servers, Cards, etc) or software necessary to permit the application software to run successfully with pre-determined response times
- On-going annual Maintenance Costs
- Internal staffing requirements for:
 - Implementation and Conversion
 - Ongoing System Maintenance
- Other related costs

Alternate cost must be provided for turnkey (complete package implemented and converted). If there is a consortium submission involving more than one vendor in partnership, one of the vendors must be selected as official respondent for the purpose of submission and primary contact/communication during evaluation process.

B. Each vendor has three weeks to prepare a test environment that will facilitate the City/Region's testing of their software. The testing can be done at the City/Region headquarters (preferred), or at the vendor's site within the Greater Toronto Area. The test environment should include:

- Deliverable software installed and configured on a test hardware platform;
- A configured database loaded with data derived from our specifications;
- Sufficient support staff to assist staff to carry out the testing;
- Sufficient training of the staff to carry out testing;
- Documentation.

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **FIFTH** Report for 1997 and respectfully recommends:

1. That Alderman B. Morelli be appointed Chairman of the Committee of the Whole for the period of September, October and November, 1997.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE**

S. G. Hollowell, Secretary
1997 August 26

URBAN/MUNICIPAL
CAY ON HBL AOS
M 21
1997

1997 September 30

Minutes of Hamilton City Council
Tuesday, 1997 September 30
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

OCT 9 1997

The Council met:

GOVERNMENT DOCUMENTS

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

One minute of silence was observed in memory of Diana, Princess of Wales.

* * * * *

Rev. Alex Gyamera of the Church of Pentecost led Council in prayer.

PRESENTATION

Mayor R. M. Morrow presented a Certificate of Recognition to Bill Newman of Bill Newman's Men's Shop, King Street East, for 70 years of business.

* * * * *

Mayor R. M. Morrow presented badges to the following members of the Hamilton Veterans Committee:

Frank Caldwell, Chairman
Jack McFarland, Vice-Chairman
Bill Eisan
Lloyd Shephard
Tom Dean
Alderman William McCulloch

ADOPTION OF MINUTES

The minutes of the regular meeting held 1997 August 26 were adopted as amended.

CORRESPONDENCE

1. Letter dated 1997 September 5 from P. J. Dillon, Chairman, Laurel Wilson, Commissioner, and Brian Hinkley, Commissioner, Hamilton Harbour Commissioners, RE: 1996 Annual Report.

Referred to the Finance and Administration Committee.

2. Application dated 1997 September 24 from 1186559 Ontario Inc., (Mr. Hai Chan Wah, 35 Brant Street, Hamilton, Ontario, for a change in zoning from "C" (Urban Protected Residential, etc.) District modified and "R-4" (Small Lot Single Family Detached) District modified for 21 Brantdale Avenue, Hamilton, Ontario.

Received.

3. Application dated 1997 September 24 from Altco Trading International Incorporated, 6 Macauley Street East, Hamilton, Ontario, for a change in zoning from "D" (Urban Protected Residential - One and Two Family, Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District for 520 James Street North, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - TENTH REPORT

Section 1 Re: Sale of Closed Unassumed Alley Between Thayer Avenue and Queensdale Avenue, West of East 16th Street

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 1 of the Tenth Report of the Transport and Environment Committee for 1997 be deleted in its entirety and replaced with the following recommendation:

1. (a) That the Commissioner of Transportation be directed to prepare a by-law for the sale of the closed unassumed alley, 1st west of East 16th Street between Thayer Avenue and Queensdale Avenue to the abutting owners; and,
- (b) That the City Clerk be directed to publish a notice pursuant to Section 300 of The Municipal Act, R.S.O. 1990, of the City's intention to pass the By-law.

CARRIED.

* * * * *

Section 54 Re: Road Allowance Width - Walnut Street from King Street to King William Street

It was moved by Alderman Merling and seconded by Alderman Charters that the Transport and Environment Committee's Tenth Report for 1997 be amended by deleting Section 54 in its entirety and replaced as follows:

54. (a) That notwithstanding the minimum designated width of 15m for all streets, the designated road allowance width for Walnut Street from King Street to King William Street shall be 12.9m; and,
- (b) That the lands shown as Part 5 on Reg. Plan 62-R-14190 not be incorporated into the Walnut Street road allowance.

CARRIED.

* * * * *

Rule No. 9 Re: Two-hour Parking - Catharine Street from Main to King William Streets

It was moved by Alderman McCulloch and seconded by Alderman Agro that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a change in the existing parking meters on Catharine Street from Main to King William Streets from 1 hour to 2 hours in duration.

CARRIED.

* * * * *

Section 59 Re: Two-hour Parking - Catharine Street from Main to King William Streets

It was moved by Alderman McCulloch and seconded by Alderman Agro that the Tenth Report of the Transport and Environment Committee for 1997 be amended by adding the following as Section 59:

59. (a) That in accordance with the request of the Downtown B.I.A., the existing parking meters on Catharine Street from Main to King William Streets (total of 16 meters) be changed from 1 hour to 2 hours in duration; and,
- (b) That the City Traffic By-law No. 89-72 be amended accordingly; and,
- (c) That Bill A-71, A By-law to Amend By-law No. 89-72 to Regulate Traffic be adopted, signed, sealed and enrolled as a By-law.

CARRIED.

* * * * *

Rule No. 9 Re: Rental of Garbage Packer

It was moved by Alderman Merling and seconded by Alderman Anderson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the rental of a garbage packer to the Town of Dundas for approximately 3 weeks.

CARRIED.

* * * * *

Section 60 Re: Rental of Garbage Packer

It was moved by Alderman Merling and seconded by Alderman Anderson that the Tenth Report of the Transport and Environment Committee for 1997 be amended by adding the following as Section 60:

60. (a) That the Commissioner of Public Works and Traffic be authorized to lease one garbage packer to the town of Dundas for a term of approximately 3 weeks; and,
- (b) That the Mayor and City Clerk be authorized to sign an agreement satisfactory to the City Solicitor between the City of Hamilton and Town of Dundas concerning the short-term lease of one garbage packer. **CARRIED.**

* * * * *

Rule No. 9 Re: Construction of Sirente Drive

It was moved by Alderman Merling and seconded by Alderman Anderson that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the construction of Sirente Drive. **CARRIED.**

* * * * *

Section 61 Re: Construction of Sirente Drive

It was moved by Alderman Merling and seconded by Alderman Anderson that the Tenth Report of the Transport and Environment Committee for 1997 be amended by adding the following as Section 61:

61. (a) That the Commissioner of Transportation be authorized and directed to prepare a reference plan showing the extension of Sirente Drive from Upper Wellington Street easterly to the existing limit of Sirente Drive at Cyprus Drive for the purpose of transferring the necessary lands to the City for the roadway; and,
- (b) That the City accept the lands for Sirente Drive as will be shown on a reference plan described in Sub-Section (a) above, which lands will be dedicated to the City from Mr. Marvin Wasserman, by deed for \$ 1; and,
- (c) That the City accept a triangular parcel of land, which parcel will be shown on the reference plan described in Sub-Section (a) above, for the purpose of transferring lands outside the road allowance to an adjacent land owner on the south side of Sirente Drive (Red-D-Mix lands) in accordance with the draft plan conditions for "Rose Gardens" subdivision, approved by City Council on 1990 April 10 in adopting Section 19 of the EIGHTH report of the Planning and Development Committee for 1990; and,

URBAN MUNICIPAL

NOV 4 1997

GOVERNMENT DOCUMENTS

- (d) That upon acquisition of the lands for Sirente Drive, the City Solicitor be authorized and directed to prepare a by-law for the establishment of Sirente Drive as a public highway, excepting a 1' (0.30 metre) reserve which will be established along both sides of Sirente Drive, except the portion adjacent to the City's neighbourhood park; and,
- (e) That the Commissioner of Transportation be authorized and directed to call tenders and undertake construction of a base course roadway, including installation of dual private drain connections, water service connections, catch basins with connections, hydro vault drains and street lighting; and,
- (f) That the cost to construct the base course road and associated works described in Item e) above, including all applicable overhead costs, estimated at \$ 200,000 be financed from Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands. **CARRIED.**

PARKS AND RECREATION COMMITTEE - NINTH REPORT

Section 2 Re: Hamilton Tiger Cat Football Club Pre-Game Party

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - FOURTEENTH REPORT

Section 2 Re: Carpenter Neighbourhood Plan

It was moved by Alderman D'Amico and seconded by Alderman Ross that Section 2 of the Fourteenth Report of the Planning and Development Committee be referred back.

CARRIED.

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Section 11 Re: Community Heritage Trust Fund Program Loan - 141 St. Clair Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Rule No. 9 Re: Stinson Neighbourhood - Residential Care Facilities

It was moved by Alderman Agro and seconded by Alderman McCulloch that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order that consideration be given to a resolution respecting residential care facilities in the Stinson Neighbourhood.

CARRIED.

* * * * *

Section 26 Re: Stinson Neighbourhood - Residential Care Facilities

It was moved by Alderman Agro and seconded by Alderman McCulloch that the following be added as Item 26 of the Planning and Development Committee's Fourteenth Report for 1997:

26. Whereas there are approximately twenty-five residential care facilities currently located within the Stinson Neighbourhood, many of which are legal non-conforming uses, having been established prior to the existing zoning by-law; and,

Whereas there would only be about six such facilities in Stinson if the required distance separation of 180 m. was strictly adhered to, the entire neighbourhood is saturated with such uses, except for a small area near the south-east corner of Stinson; and,

Whereas the number and concentration of such care facilities is a concern to residents in the Stinson Neighbourhood;

Therefore be it resolved that a zoning by-law amendment be undertaken to prohibit residential care facilities in the portion of the Stinson Neighbourhood in which they are presently permitted, namely lands in the vicinity of Alanson Street and the south end of Erie Avenue, and that the various Departments of City Hall be particularly sensitive to this matter and that the rules and regulations pertaining to "non-confirming uses" in the Stinson Neighbourhood be strictly adhered to.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - TWENTIETH REPORT

Section 6 Re: Question on Municipal Election Ballot re Model Tobacco Control By-law

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Copps, Wilson, Collins, Charters, Jackson, Anderson, -9.

NAYS: Aldermen Agro, McCulloch, Drury, Morelli, Eisenberger, Merling, D'Amico, Ross. -8. **CARRIED.**

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Section 16 Re: FCM Municipal Telecommunications Access Agreement

Alderman D. Wilson declared personal interest in, took no part in the debate and refrained from voting on this matter as both he and his wife are employees of Bell Canada.

* * * * *

Section 17 Re: Hosting of Dinner Reception - 1997 Ontario Universities Athletic Association-Golf Tournament

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

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Section 18 Re: Hosting of Dinner Reception - Community Policing and Aboriginal Justice Symposium

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

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Section 19 Re: Hosting of Dinner Reception - Dignitaries from Abruzzo Region of Italy

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Rule No. 9 Re: Grant to Second Stage Housing

It was moved by Alderman Ross and seconded by Alderman Copps that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a grant to Second Stage Housing.

CARRIED.

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Section 34 Re: Grant to Second Stage Housing

It was moved by Alderman Ross and seconded by Alderman Copps that the Twentieth Report of the Finance and Administration Committee for 1997 be amended by adding the following as Section 34:

34. That a grant be approved in the amount of \$717.62 to Second Stage Housing which provides housing accommodation to battered women, this amount representing the total surplus remaining in Alderman Ross's 1994 Aldermanic Campaign which was deposited with the City Treasurer pursuant to the Municipal Elections Act and which cannot be returned to Alderman Ross as he is not seeking re-election. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Agro that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee be adopted.

URBAN MUNICIPAL

NOV 4 1997

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

NOTICE OF MOTION

Re: Quebec Separation
Motion put June 11, 1997
Postponed June 24, 1997
Postponed July 8, 1997
Postponed August 26, 1997
Approved September 30, 1997

It was moved by Alderman Ross and seconded by Alderman D'Amico:

*

WHEREAS the population of the Province of Quebec voted against separating from Canada, both in 1980 and in 1995; and

WHEREAS the current government of Quebec has repeatedly reiterated its desire to hold yet another referendum on Quebec separation; and

WHEREAS there are many loyal Canadians in Quebec who, via resolutions of their local city councils, have declared that it is their wish to remain part of Canada, irrespective of any future referendum result; and

WHEREAS those city councils have requested the support of Canadians outside Quebec in their effort to remain Canadian.

Be it resolved **THAT** the City of Hamilton supports the initiative of those municipalities in Quebec who have declared their intention to remain part of Canada irrespective of any future province wide vote for separation.

THAT the City of Hamilton demands that the government of Canada and the government of Québec clearly and unequivocally state that they support the right of federalist municipalities and regions within Quebec to remain part of Canada, today and in the future, in accordance with the legal, moral, political, constitutional, and territorial obligations of our nation.

* See page 922 for amendment

THAT copies of this resolution be forwarded to the Prime Minister of Canada, the members of Parliament from Ontario and Québec, the members of the Provincial legislature, the Premier of Ontario, the union of Ontario municipalities, all Ontario municipalities, the Federation of Montreal Urban Community, and all municipalities on the Island of Montreal and all Provincial Municipal Associations. **CARRIED.**

NOTICE OF MOTION

Mayor R. Morrow gave notice that he would move at the next regular meeting of City Council the following:

That the City of Hamilton and the Regional Municipality of Hamilton-Wentworth jointly hire a Downtown Development Co-ordinator, on a contract basis, to bring development to the downtown, co-ordinate projects already in existence, and work with all parties concerned.

ACTING MAYOR FOR THE MONTH OF OCTOBER, 1997

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman Jackson be appointed Acting Mayor for the month of October, 1997. **CARRIED.**

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City Council then adjourned at 8:40 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 September 30
JJS/bc

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **TENTH** Report for 1997 and respectfully recommends:

1. (a) That the Commissioner of Transportation be directed to prepare a by-law for the sale of the closed unassumed alley, 1st west of East 16th Street between Thayer Avenue and Queensdale Avenue to the abutting owners; and,
(b) That the City Clerk be directed to publish a notice pursuant to Section 300 of The Municipal Act, R.S.O. 1990, of the City's intention to pass the By-law.

REPLACED.

2. That a "No Parking" regulation be implemented on the north and east sides of Gledhill Crescent commencing at a point 53 feet east of the east curb line of Gledhill Crescent and extending to a point 53 feet north of the north curb line of Gledhill Crescent, and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That the existing "Permit Parking" regulation on the west side of Lyndhurst Street commencing at a point 51 feet north of the south end of Lyndhurst Street and extending to a point 23 feet northerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
4. That the existing "Permit Parking" regulation on the south side of Brant Street commencing at a point 53 feet west of Niagara Street and extending to a point 16 feet westerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
5. (a) That a "Permit Parking" regulation be implemented on the north side of Primrose Avenue commencing at a point 124 feet east of Avondale Street and extending to a point 15 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
(b) That the Commissioner of Public Works and Traffic be authorized to issued one parking permit to Mr. Qureshi, No. 35 1/2 Primrose Avenue.

6. (a) That a "Permit Parking" regulation be implemented on the north side of Tom Street commencing at a point 129 feet west of Dundurn Street North and extending to a point 20 feet westerly therefrom, and on the north side of Tom Street commencing at a point 176 feet west of Dundurn Street North and extending to a point 18 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to both Mr. William King, No. 72 Tom Street and Ms. Denise Doyle, No. 78 Tom Street.
7. (a) That a "Permit Parking" regulation be implemented on the east side of Grosvenor Avenue North commencing at a point 294 feet south of Barton Street East and extending to a point 30 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Gerald Metcalf, No. 290 Grosvenor Avenue North.
8. That the existing "Permit Parking" regulation on the south side of MacAuley Street West commencing at a point 269 feet west of MacNab Street North and extending to a point 16 feet westerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
9. That the existing by-law entry allowing for an "Alternate Side Parking" regulation on Gladstone Avenue between Main Street East and Delaware Avenue be rescinded and that the existing "No Parking" regulation on the west side and the "Two Hour Parking Time Limit, 24 hours a day, Monday to Friday" regulation on the east side of Gladstone Avenue between Main Street East and Delaware Avenue be reinstated, and that the City Traffic By-law No. 89-72 be amended accordingly.
10. That the existing "Permit Parking" regulation on the south side of Francis Street which commences at a point 106 feet west of Douglas Street and extends to a point 17 feet westerly therefrom be revised such that the regulation commences at a point 106 feet west of Douglas Street and extends to a point 20 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
11. (a) That a "Permit Parking" regulation be implemented on the west side of Douglas Street between Burton Street and the TH&B Railway tracks, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to both No. 25 Douglas Street and No. 91 Burton Street (to a maximum of two) on a first come first served basis.
- 12. That a "Three Hour Parking Time Limit, 24 hours a day, Monday to Friday" regulation be implemented on the west side of Weir Street North commencing at Barton Street East and extending to a point 113 feet northerly therefrom, and the City Traffic By-law No. 89-72 be amended accordingly.
- 13. That a "No Parking" regulation be implemented on the east side of Ivon Avenue commencing at Roxborough Avenue and extending to a point 40 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 14. (a) That a "Permit Parking" regulation be implemented on the west side of Ontario Avenue commencing at a point 150 feet south of Stinson Street and extending to a point 24 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. James Beauchamp, No. 128 Ontario Avenue.
- 15. (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Colbourne Street between Park Street North and Bay Street North be shortened such that the regulation commences at Park Street North and extends to a point 130 feet east of Bay Street North; and,

(b) That a "Permit Parking" regulation be implemented on the south side of Colbourne Street commencing at a point 47 feet east of Bay Street North and extending to a point 83 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(c) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit per residence to Nos. 89, 91 and 93 Colbourne Street (to a maximum of three) on a first come first served basis.
- 16. That the existing "Alternate Side Parking" regulation on Myrtle Avenue between Rutherford Avenue and Delaware Avenue be replaced with a "No Parking" regulation on the east side and unrestricted parking on the west side, and that the City Traffic By-law No. 89-72 be amended accordingly.

17. That the existing "No Parking" regulation on both sides of Limeridge Road West from Hawkridge Avenue to the easterly limits (Upper James Street) be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
18.
 - (a) That a "Permit Parking" regulation be implemented on the west side of John Street North commencing at a point 81 feet north of Burlington Street East and extending to a point 17 feet northerly therefrom and that the City Traffic By-law No. 89-71 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Donna Boyce, No. 535 John Street North.
19.
 - (a) That a "Permit Parking" regulation be implemented on the south side of Simcoe Street East commencing at a point 181 feet west of Ferguson Avenue North and extending to a point 24 feet westerly therefrom, and on the north side of Simcoe Street East commencing at a point 114 feet west of Ferguson Avenue North and extending to a point 16 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to both Mr. Fred Fisher, No. 164 Simcoe Street East, and Mr. Victor Giannotti, No. 171 Simcoe Street East.
20. That the existing "Permit Parking" regulation on the south side of Burton Street between Cheever Street and Douglas Street be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
21. That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of Emerson Avenue commencing at a point 63 feet south of Royal Avenue and extending to a point 49 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
22.
 - (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the north side of Brantdale Avenue between West 2nd Street and Upper James Street; and,

- (b) That the existing "No Stopping" regulation on the north side of Brantdale Avenue commencing 100 feet west of West 2nd Street and extending to a point 137 feet east of West 2nd Street be removed; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
- 23. That parking be allowed on both sides of Avondale Street between Barton Street East and Mons Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 24.
 - (a) That a "No Parking" regulation be implemented on both sides of Ravenscliffe Avenue commencing at Aberdeen Avenue and extending to a point 122 feet southerly therefrom; and,
 - (b) That a full-time "Three Hour Parking Time Limit" regulation be implemented on the west side of Ravenscliffe Avenue commencing at a point 122 feet south of Aberdeen Avenue and extending to a point 429 feet southerly therefrom, and on the east side of Ravenscliffe Avenue commencing at a point 122 feet south of Aberdeen Avenue and extending to a point 330 feet southerly therefrom; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
- 25. That southbound traffic on Cellini Avenue be required to stop for eastbound and westbound traffic on Eaglewood Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 26. That three-way stop control be implemented at the intersection of Lawrence Avenue (west leg) and Neil Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.
- 27. That northbound traffic on Jeremy Street be required to stop for eastbound and westbound traffic on Lorenzo Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 28. That eastbound traffic on Sheridan Lane be required to stop for northbound and southbound traffic on Lower Horning Road, and that the City Traffic By-law No. 89-72 be amended accordingly.

29. That three-way stop control be implemented at the intersection of Acadia Drive and Annapolis Way, and that the City Traffic By-law No. 89-72 be amended accordingly.
30. That northbound traffic on Chelmsford Place be required to stop for eastbound and westbound traffic on Kentley Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.
31. That three-way stop control be implemented at the intersection of Locke Street North and Peter Street and that the City Traffic By-law No. 89-72 be amended accordingly.
32. That eastbound traffic on Oakdale Avenue be required to stop for northbound and southbound traffic on East 43rd Street, and that the City Traffic By-law No. 89-72 be amended accordingly.
33. That a full-time "Wheelchair Loading Zone" regulation be implemented on the east side of Park Row North commencing at a point 164 feet south of Cannon Street East and extending to a point 29 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
34. That a "No Stopping" corner clearance be implemented on the south side of Mountville Avenue commencing at Upper Wellington Street and extending to a point 58 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.
35. That heavy traffic on Grays Road, from Community Avenue to Frances Avenue be restricted to the hours of 7:00 a.m. to 7:00 p.m., and that City Traffic By-law No. 89-72 be amended accordingly.
36. That the Commissioner of Public Works and Traffic be authorized to issue, upon request, three Time Limit Exemption Permits to each of the first three eligible applicants residing in the apartment building at No. 137 Duke Street.
37. (a) That a School Crossing Guard be assigned to the west intersection of Fernwood Crescent and Ninth Avenue during the morning and evening school crossing periods only for the balance of 1997 and up until the approval of the 1998 Departmental Budget; and

- (b) That consideration be given in the 1998 Current Budget deliberations for an expansion package of \$4,000 plus administrative costs for a School Crossing Guard at this location on a permanent basis.
38. (a) That the following City land be incorporated into the following streets:
- Appleblossom Drive Part 2 Plan 62R-12439
- (b) That the by-laws to carry out the incorporation of the said land into the foregoing street be enacted by City Council; and,
 - (c) That the Commissioner of Transportation be authorized and directed to register the by-laws; and,
 - (d) That a by-law to repeal By-law No. 97-166 enacted on 1997 August 26 to incorporate land into Appleblossom Drive be enacted by City Council.
39. (a) That the submitted schedules of works be adopted and approved for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in:
- "CLAUDETTE GARDENS - PHASE 9", Hamilton**
City's Share - \$ 24,154.51 Owner's Share - \$ 182,720.45
- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owner of "Claudette Gardens - Phase 9", Hamilton as well as any other related documents for this subdivision subject to the approval of the City Solicitor; and,
 - (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement has been registered; and,
 - (d) In the event that the Owner wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered, they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing; and,
 - (e) That the City's share of servicing "in Claudette Gardens - Phase 9" subdivision at an estimated cost of \$ 24,154.51 be financed from the Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands.

40. (a) That the following City land be incorporated into the following streets:

Beaverbrook Avenue	Block 150 Part 5	62M-639 62R-14187
Brigade Drive	Part 4	62R-9675
Cadham Boulevard	Block 27	62M-733
Centennial Parkway North	Parts 1 and 2	62R-14233
Piano Drive	Block 39	62M-778

- (b) That the by-laws to carry out the incorporation of the said land into the foregoing street be enacted by City Council; and,
- (c) That the Commissioner of Transportation be authorized and directed to register the by-laws.

41. That the Commissioner of Public Works and Traffic be authorized to construct a salt storage dome at the Upper Ottawa Public Works yard, to be funded by the Region of Hamilton-Wentworth for the purposes of winter control road maintenance of the Lincoln M. Alexander Parkway.

42. (a) That the following property be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law No. 95-049:

"the lands composed of part of Lot 16, Concession 7, in the former Township of Barton, now in the City of Hamilton, being more specifically described as Parts 1 and 2, Plan 62R-10900, containing a total area of 8.19 square metres (88.16 square feet) more or less, being the 0.30 metre reserves abutting part of the easterly limit of 190 Annabelle Street, Hamilton"; and,

- (b) (i) That an Offer to Purchase Agreement, duly executed by James Zaborsky and Dorothy Zaborsky, on 1997 September 4 and scheduled to close on or before 1997 November 28, for the lands composed of part of Lot 16, Concession 7, in the former Township of Barton, now in the City of Hamilton, being more specifically described as Parts 1 and 2, Plan 62R-10900, containing a total area of 8.19 square metres (88.16 square feet) more or less, being the 0.30 metre reserve abutting part of the easterly limit of No. 190 Annabelle Street, Hamilton, be approved and completed as the requirements in the

Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$2 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and,

- (ii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,
- (iii) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
 - (1) satisfactory notice has been given to the Public of the intended sale; and,
 - (2) no appraisal of the fair market value of the real property intended to be sold was obtained as 1' Reserves are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,
 - (3) the City Clerk be authorized and directed to execute and issue a certificate of Compliance in the Form prescribed pursuant to Section 193 of the Municipal Act.

- 43. (a) That the Commissioner of Public Works and Traffic be authorized and directed to construct a 1.5m wide asphalt path on the east side of Covington Street between Barton Street and Cascade Street; and,
- (b) That the cost of the path estimated at \$15,700 be financed from Current Budget Account No. CH57410 60602.

- 44. That, in order to improve safety of pedestrians' access to Beulah Park, in respect to a portion of the City alley adjacent to the Park's northerly limit which extends between Beulah Avenue and Miles Court the following be approved:

(a) That the Commissioner of Public Works and Traffic be authorized:

- (i) to prepare a by-law in a form satisfactory to the City Solicitor, pursuant to the Municipal Act, (sec. 297) for the City,
 - 1. to assume the easterly one metre portion of the alley frontage on the westerly limit of Miles Court; and,

2. to limit access -- between Miles Court and Beulah Park through the said easterly one metre portion of this alley -- to pedestrians; and,
 - (ii) to advertise Notice of this proposed by-law for four consecutive weeks in accordance with the Municipal Act; and,
 - (b) That the Transport and Environment Committee hear any objections to this proposed by-law and make its recommendation to Council; and,
 - (c) That, subject to the enactment of the proposed by-law, the Commissioner of Public Works and Traffic be authorized and directed to install bollards, signs and related works on the said one metre portion of the City alley beside Miles Court - to enforce the pedestrians only limitation.
45. That purchase orders be issued for the supply and delivery of highway salt as and when required during the 1997/98 Winter Season by the Department of Public Works and Traffic in accordance with specifications issued by purchasing and vendors' tenders and be financed through stock materials Account No. CH56197 60999, as follows:

Sifto Canada	Delivered
Highway Salt	\$41.00/tonne

46. That, effective 1997 November 1, the staff complement of the Parking Control Section of the Public Works and Traffic Department be adjusted as follows:

DELETE

Parking Control Officer (presently vacant)	1.0 FTE
--	---------

ADD

By-law Services Officer	1.0 FTE
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47. That all-way stop control be implemented at the intersection of Adair Avenue and Central Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.

48. That all-way stop control be implemented at the intersection of Dunsmure Road and Garfield Avenue South, and that the City Traffic By-law No. 89-72 be amended accordingly.
49. That all-way stop control be implemented at the intersection of Ottawa Street South and Justine Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.
50. That three-way stop control be implemented at the intersection of Bastille Street and Brigade Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.
51. That all-way stop control be implemented at the intersection of Tenth Avenue and East 43rd Street, and that the City Traffic By-law No. 89-72 be amended accordingly.
52. That three-way stop control be implemented at the intersection of Massena Drive and Byng Street, and that the City Traffic By-law No. 89-72 be amended accordingly.
53. That three-way stop control be implemented at the intersection of Alconbury Drive and Rexford Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.
54. (a) That notwithstanding the minimum designated width of 15m for all streets, the designated road allowance width for Walnut Street from King Street to King William Street shall be 12.9m; and,
(b) That the lands shown as Part 5 on Reg. Plan 62-R-14190 not be incorporated into the Walnut Street road allowance. **REPLACED.**
55. (a) That City Council reaffirm its position of 1996 April 30 respecting CleanSoils Ltd. as follows:

That, due to the environmental impact on the Hamilton Beach Strip Residential Community, the City of Hamilton, through its Chief Administrative Officer, utilize all powers available through City, Regional, Provincial and Federal Departments/Ministries, to proceed as quickly as possible to close down the CleanSoils Limited Waste Disposal Site -

Processing Operations located at Pier 26 - Hamilton Harbour East Port Development;"

- (b) That the Ministry of Environment and Energy be requested to report to the next meeting of the Transport and Environment Committee on the status of charges and prosecution of CleanSoils respecting non-compliance to the field orders issued by the Ministry of Environment and Energy; and,
 - (c) That the City of Hamilton urge the Province of Ontario to step up enforcement on all issues of non-compliance of Certificates of Approval; and,
 - (d) That the Planning and Development Committee be requested to turn down the proposed F-4 Modified Zoning for the CleanSoils Site to support the above resolution and any other similar land use in the Eastport area.
56. That the appropriate By-law prepared by the City Solicitor for Graffiti Prevention, Prohibition and Abatement be forwarded to City Council for enactment.
57. (a) That City Council authorize the Commissioner of Public Works and Traffic to cost share equally with the Aragon Group, the estimated \$30,000 required for the replacement of the areaway roof slab in front of the former Woolworth's Building at 19-31 King Street East in conjunction with the construction of sidewalks.
- (b) That the Commissioner of Public Works and Traffic be directed to take all necessary actions required to determine the financial responsibility for this work and subsequently to arrange for the City to be reimbursed accordingly.
58. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) A-62 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
 - (b) A-63 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
 - (c) A-64 A By-law to Repeal City By-law No. 97-166 Referred to as Appleblossom Drive
 - (d) A-65 A By-law to Incorporate City Land Designated as Block 39, 62M-778 into Piano Drive

- (e) A-66 A By-law to Incorporate City Land Designated as Parts 1 and 2 on Plan 62R-14233 into Centennial Parkway North
 - (f) A-67 A By-law to Incorporate City Land Designated as Block 27, 62M-733 into Cadham Boulevard
 - (g) A-68 A By-law to Incorporate City Land Designated as Part 4, Plan 62R-9675 into Brigade Drive
 - (h) A-69 A By-law to Incorporate City Land Designated as Block 150, Plan 62M-639 and Part 5, 62R-14187 into Beaverbrook Avenue
 - (i) A-70 A By-law to Authorize the Graffiti By-law
59. (a) That in accordance with the request of the Downtown B.I.A., the existing parking meters on Catharine Street from Main to King William Streets (total of 16 meters) be changed from 1 hour to 2 hours in duration; and,
- (b) That the City Traffic By-law No. 89-72 be amended accordingly; and,
- (c) That Bill A-71, A By-law to Amend By-law No. 89-72 to Regulate Traffic be adopted, signed, sealed and enrolled as a By-law. **ADDED.**
60. (a) That the Commissioner of Public Works and Traffic be authorized to lease one garbage packer to the town of Dundas for a term of approximately 3 weeks; and,
- (b) That the Mayor and City Clerk be authorized to sign an agreement satisfactory to the City Solicitor between the City of Hamilton and Town of Dundas concerning the short-term lease of one garbage packer. **ADDED.**
61. (a) That the Commissioner of Transportation be authorized and directed to prepare a reference plan showing the extension of Sirente Drive from Upper Wellington Street easterly to the existing limit of Sirente Drive at Cyprus Drive for the purpose of transferring the necessary lands to the City for the roadway; and,
- (b) That the City accept the lands for Sirente Drive as will be shown on a reference plan described in Sub-Section (a) above, which lands will be dedicated to the City from Mr. Marvin Wasserman, by deed for \$ 1; and,
- (c) That the City accept a triangular parcel of land, which parcel will be shown on the reference plan described in Sub-Section (a) above, for the purpose of

transferring lands outside the road allowance to an adjacent land owner on the south side of Sirente Drive (Red-D-Mix lands) in accordance with the draft plan conditions for "Rose Gardens" subdivision, approved by City Council on 1990 April 10 in adopting Section 19 of the EIGHTH report of the Planning and Development Committee for 1990; and,

- (d) That upon acquisition of the lands for Sirente Drive, the City Solicitor be authorized and directed to prepare a by-law for the establishment of Sirente Drive as a public highway, excepting a 1' (0.30 metre) reserve which will be established along both sides of Sirente Drive, except the portion adjacent to the City's neighbourhood park; and,
- (e) That the Commissioner of Transportation be authorized and directed to call tenders and undertake construction of a base course roadway, including installation of dual private drain connections, water service connections, catch basins with connections, hydro vault drains and street lighting; and,
- (f) That the cost to construct the base course road and associated works described in Item e) above, including all applicable overhead costs, estimated at \$ 200,000 be financed from Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands. **ADDED.**

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson, Secretary
1997 September 22nd**

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **NINTH** Report for 1997 and respectfully recommends:

1. (a) That approval be given to the Director of the Culture and Recreation Department to deaccession the following three dimensional objects from the Hamilton Museum of Steam and Technology:

995.03.01 Electric Generator or Exciter

995.03.02 Air Compressor

995.03.03 Air Receiver

995.03.04 Electric Motor; and,

(b) That the items be disposed of according to the Collections Policy of the Hamilton Museum of Steam and Technology and City of Hamilton Purchasing Policy; and,

(c) That any funds realized from the possible sale of the objects be deposited in the reserve account of the Hamilton Museum of Steam and Technology for future acquisitions.
2. That approval as required by Parks By-law No. 95-126, as amended, Section 11, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the Hamilton Tiger Cat Football Club (1097694 Ontario Limited) to hold a pre-game party, licensed by the L.L.B.O. on Sunday, 1997 October 5 from 12:00 o'clock noon until 1:30 o'clock p.m., and on Saturday, 1997 October 25 from 12:00 o'clock noon until 1:30 o'clock p.m., in the east end zone of Brian Timmis Stadium.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

3.
 - (a) That approval be given to issue a Purchase Order to Beatty Hall Construction Co. Ltd of Hamilton in the amount of \$96,860 plus applicable taxes to construct the Expansion of the Children Museum, being the lowest qualified Bid of three (3) received in accordance with the tender documents issued; and,
 - (b) That approval be given to issue a Purchase Order to the lowest qualified bidder to undertake the site development work as per the contract documents issued by the Purchasing Division and prepared by the Parks Division of the Public Works and Traffic Department, being within the estimated amount and within the approval limits of the Chief Administrative Officer and the Commissioner of Public Works and Traffic; and,
 - (c) That the Director of the Culture and Recreation Department be authorized to carry a \$11,360 Project Contingency to cover any additional unforeseen items which may arise, and \$15,000 as furnishing allowance; and,
 - (d) That these expenditures be funded from the following Accounts: Children's Museum Expansion CF709741078; Barrier Free Design Modifications- CF809453005; Risk Management - CF709755034.
4.
 - (a) That the City of Hamilton, as Landlord of LaSalle Park, grant approval to the City of Burlington, Tenant, to permit the following major capital improvements to the infrastructure at LaSalle Park in accordance with Sections 6 and 9 of the LaSalle Park Lease dated 1985 March 28; namely, improvements and modifications to the pavilion's structure and mechanical systems to develop a full service kitchen on the second level and a multi-purpose hall on the east side of the main level, subject to the City of Burlington:
 - (i) agreeing that Hamilton shall not be obligated under Section 24 of the Lease to pay Burlington for the undepreciated capital improvement cost of the said major capital improvement; and,
 - (ii) executing an agreement to amend the existing Lease incorporating these approvals and conditions; and,
 - (iii) providing a copy of the final plans and specifications of the proposed works; and,
 - (b) That the Mayor and City Clerk be authorized and directed to execute and agreement to amend the Lease of LaSalle Park incorporating these approvals and conditions.

5.
 - (a) That a contract be awarded to Capital Paving Inc., Guelph, Ontario in the amount of \$228,023.43, including all taxes and contingency, for the parking lot/entrance reconstruction and construction of the bicycle path at Dundurn Park, being the lowest of seven tenders received in accordance with specifications C-16-35-97 issued by the Purchasing Division and the Vendor's tender, and that this expenditure be financed from Account No. CF5200 809453015, Canada/Ontario Infrastructure Works program - Parking Lots and Pathways; from Account No. CF628743002, Bike Paths/Playscapes - Phases 3 and 4; and Account No. CF629543011 Inter-Regional Trail Program (1995); and,
 - (b) That a contract satisfactory to the City Solicitor be entered into between the City and Capital Paving Inc. of Guelph, Ontario; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute the associated contract in a form satisfactory to the City Solicitor.
6. That a purchase order be issued to ARK-TECH Contracting, Ancaster, Ontario in the amount of \$92,913.45 including all taxes and contingency for the electrical service and distribution installation at T.B. McQuesten Park, being the lowest of five tenders received in accordance with specifications C16-3897 issued by the Purchasing Division and the Vendor's tender, and that this expenditure be financed from Capital Account No. CF5010 629254005 - T.B. McQuesten Park Development.
7.
 - (a) That the City accept a donation from the Hamilton-Wentworth Chapter of Child Find Ontario to upgrade an existing pathway through Warden Park from Lake Avenue North to Glenburn Court; and,
 - (b) That upon completion of the upgrades, the trail be named "The Green Ribbon of Hope Trail"; and,
 - (c) That the capital project file for upgrading of the trail through Warden Park be prepared and submitted for consideration in the 1998-2007 Capital Budget process.
8.
 - (a) That the property at No. 563 Aberdeen Avenue be declared surplus to the requirements of the City and available for sale; and,

- (b) That the Real Estate Division of the City Clerk's Department be authorized to give notice of the proposed property sale in compliance with the Realty Sales Procedural By-law.

Respectfully Submitted,

**ALDERMAN F. EISENBERGER
CHAIRMAN
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson, Secretary
1997 September 23**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTEENTH** Report for 1997 and respectfully recommends:

1. (a) That approval be given to Subdivision Application 97-03 (Regional File No. 25T-97007), Pasquale Campea and Angelo Loro, owner, to establish a draft plan of subdivision "Brigadoon Park", on lands located north of Stone Church Road West, west of West Fifth Street and west of the southerly extension of Brigadoon Drive, in the Gourley Neighbourhood, as shown on the attached map marked as Appendix "A" subject to the following conditions:
 - (i) That this approval apply to the plan as revised in red, prepared by Urbex Engineering Limited and certified by J. P. Woolley, O.L.S., dated May 27, 1997, showing 12 lots for single detached dwellings and two streets identified as Street "A" and Brigadoon Drive, attached as Appendix "B"; and,
 - (ii) That the Owner establish Streets "A" (from Stone Church Road to Brigadoon Drive) and Brigadoon Drive (from the east limits of the draft plan to the west limits of Street "A") to their full width and that these lands be conveyed to the City of Hamilton prior to registration of the final plan of subdivision; and,
 - (iii) That the Owner establish a 12.0m by 12.0m daylight triangle, taken from the widened limits of Stone Church Road and Street "A" as part of Street "A" on the final plan of subdivision; and,
 - (iv) That the Owner establish a paved Public access road connecting Stone Church Road West to the existing limit of Brigadoon Drive adjacent to Lot 1; and,
 - (v) That Brigadoon Drive align centreline to centreline with Brigadoon Drive as established by Plan 62M-768 to the satisfaction of the Commissioner of Transportation, as redlined; and,
 - (vi) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes; and,

- (vii) That Street "A" be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,
- (viii) That the owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,
- (ix) That the final plan conform with the Zoning By-law approved under the Planning Act; and,
- (x) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and the gross area of the subdivision in the final plan; and,
- (xi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,
- (xii) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,
- (xiii) That the applicant prepare and implement an erosion and sediment control plan for the subject property to the satisfaction of the Hamilton Region Conservation Authority and the City of Hamilton. The approved plan will include the following:
 - 1. All erosion and sediment control measure shall be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated; and,
 - 2. All erosion and sediment control measures shall be inspected after each rainfall and maintained to the satisfaction of the Authority Engineer; and,
 - 3. Any disturbed area not scheduled for further construction within 45 days shall be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and,
 - 4. All disturbed areas shall be revegetated with permanent cover immediately following completion of construction; and,
- (xiv) That the applicant prepare and implement a detailed grading plan for the subject property to the satisfaction of the Hamilton Region Conservation Authority and the City of Hamilton. This plan shall be developed in conjunction with the tree preservation and landscape plan; and,

- (xv) That the applicant prepare and implement a stormwater management plan for the subject property to the satisfaction of the Hamilton Region Conservation Authority and the City of Hamilton. This plan shall address water quality and quantity issues and will ensure that post developments flows will equal pre-development levels and that current provincial drainage and stormwater quality guidelines are implemented; and,
 - (xvi) That the applicant prepare and implement a tree preservation and landscape plan for the subject property to the satisfaction of the Hamilton Region Conservation Authority and the City of Hamilton. This plan shall show how existing vegetation will be maintained with development and highlight replacement trees for vegetation removed as part of the development of this subdivision; and,
 - (xvii) The owner must enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands; and,
 - (xviii) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton; and,
 - (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-97007), Pasquale Campea and Angelo Loro, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
 - (c) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.
2. (a) That approval be given to Official Plan Amendment No. 141 to redesignate the proposed neighbourhood park at the easterly portion of the Carpenter Neighbourhood adjacent to the future school sites from "Open Space" to "Residential" and to redesignate a 1.04 hectare parcel of land abutting the westerly park site from "Residential" to "Open Space", as shown on Appendix "C" and that the City Solicitor be directed to prepare the By-law of Adoption for submission to the Regional Municipality of Hamilton-Wentworth; and,
- (b) That approval be given to Subdivision Application 97-04 (Regional File No. 25T-97009), DiCenzo Construction Company Ltd. and Vedemo Construction Ltd., owners, to establish a draft plan of subdivision "Paradise Meadows", on lands located south of Rymal Road West, north of the City of

Hamilton/Township of Glanbrook municipal boundary, west of the future extension of Garth Street and east of Upper Paradise Road, in the Carpenter Neighbourhood, as shown on the attached map marked as Appendix "D" subject to the following conditions:

- (i) That this approval apply to the plan, as revised in red, prepared by Planning and Engineering Initiatives Ltd. and certified by W. M. Fenton, O.L.S. of W. M. Fenton Limited, dated 1997 June 9, showing 249 lots for single detached dwellings, 14 blocks for street townhouse units, 2 blocks for condominium townhouse units, 1 block for parkland, and 10 streets, attached as Appendix "E"; and,
- (ii) That the Streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,
- (iii) That the owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,
- (iv) That the owner apply for and receive final approval for changes in zoning from the established "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, "R-4" (Small Lot Single Family) District and "RT-20" (Townhouse - Maisonette) District prior to the registration of any phase of development; and,
- (v) That the final plan conform with the Zoning By-law approved under the Planning Act; and,
- (vi) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and the gross area of the subdivision in the final plan; and,
- (vii) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,
- (viii) That Blocks 266 and 267 be developed in conjunction with the adjacent lands; and,
- (ix) That Blocks 250 and 265 not be registered until such time as the applicant has acquired the abutting lands located adjacent to the future extension of Garth Street and that Blocks 250 and 265 be developed in conjunction with the abutting lands; and,
- (x) That the Owner agree to include the following clauses in a registered portion of the subdivision agreement, be registered on title of all lots

within the plan of subdivision and that the owner ensure that warning clauses are included on all offers of purchase and sale and reservation agreements to the satisfaction of the Director of Planning and Development and City Solicitor:

"Purchasers are advised that access to the future school will be provided from Street 'G'"

- (xi) That if the development of this subdivision is to proceed in phases then the Owner must provide a staging plan to the satisfaction of the Manager, Traffic Planning, Department of Public Works and Traffic and the Manager, Development Engineering Section, Regional Environment Department; and,
- (xii) That any dead end streets resulting from the staging of development include the provision of temporary turnarounds to the satisfaction of the Manager of Traffic Planning, Department of Public Works and Traffic; and,
- (xiii) That if the development of Blocks 264 and 265 occur prior to the establishment and construction of the future south extension of Garth Street, then the Owner shall provide a temporary turnaround at the easterly limits of Street "B" to the satisfaction of the Manager of Traffic Planning, Department of Public Works and Traffic; and,
- (xiv) That Street A must be established to a minimum width of 26m from the southerly limits of Rymal Road West to a point approximately 90 metres southerly to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department; and,
- (xv) That during the first phase of development of this draft plan of subdivision, a street connection to Highridge South plan of subdivision must be established and constructed either through the Eagleglen Way Ext. to the west or through the extension and construction of Upper Paradise Road and Street A; and,
- (xvi) That all streets, other than the cul-de-sacs noted, be established to a width of minimum road allowance width of 20m; and,
- (xvii) That the Owner be required to provide 1m by 1m daylight triangle road widenings at the intersection of all 18m and 20 metre road allowances; and,
- (xviii) That Street G be established at 20m instead of 18m; and,

- (xix) That the Owner be required to provide minimum 10m radius transitions into and out of the cul-de-sac bulbs on streets established at an 18m road allowance width; and,
- (xx) That the Upper Paradise Road Extension must align centreline to centreline with Upper Paradise Road in Highridge South plan of subdivision; and,
- (xxi) That the centreline radius of Street A, from the north end of the subdivision southerly to Street J be increased to approximately 400m; and,
- (xxii) That the roadway configuration at the south end of the subdivision be revised in accordance with the approved Carpenter Neighbourhood Plan, as shown on Appendix "F" to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department and the Director, Planning and Development Department; and,
- (xxiii) That Street B must be established to a 26m road allowance width from the extension of Garth Street to a point approximately 90 metres westerly and that the road widenings to establish the 26m road allowance be established equally on each side of the street; and,
- (xxiv) That 12m by 12m daylight triangles be established at the widened intersection limits of Street B and Garth Street. The extension of Street B to Garth Street will require the acquisition of the strip of land not owned by the City or the applicant; and,
- (xxv) That all lands south of the Public School Board lands and east of Street I not be developed until such time as the alignment of Garth Street through the Hydro Corridor to the Township of Glanbrook be approved to the satisfaction of the Township of Glanbrook, Ontario Hydro, the City of Hamilton Department of Public Works of Traffic and the Region of Hamilton-Wentworth. Any lands within this draft plan of subdivision which may be required for the extension of Garth Street be must shown as a Block on the final plan for road widening purposes; and,
- (xxvi) That the applicant/owner prepare curb radius drawings at the intersection of Street I and J to the satisfaction of the Region prior to the final approval of the cul-de-sac on Street J; and,
- (xxvii) That the street line adjacent Lots 229, 230 and 231 be realigned to provide a straight transition into the cul-de-sac bulb; and,

- (xxviii) That prior to development, the Owner prepare and implement an erosion and sediment control plan to the satisfaction of the City of Hamilton and Hamilton Region Conservation Authority and that said plan comply with the following requirements:
- (1) All erosion and sediment control measures will be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated; and,
 - (2) That the Owner provide a summary inspection report every 14 days, prepared by a qualified professional engineer, outlining the status of all erosion and sediment control measures after each rainfall, including remedial measures taken, to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department; and,
 - (3) Areas not scheduled for development within 45 days or over the winter months should be left with existing vegetation in place. If the area has been previously graded, all disturbed areas should be revegetated using seed and mulch; and,
 - (4) All disturbed areas will be revegetated with permanent cover immediately following completion of construction; and,
- (xxix) That the applicant prepare and implement a stormwater management plan for the subject property to the satisfaction of the Hamilton Region Conservation Authority and the Manager, Development Engineering Section, Regional Environment Department. This plan shall address water quality and quantity issues and will ensure that post development flows will equal pre-development levels and that current provincial drainage and stormwater quality and quantity guidelines are implemented; and,
- (xxx) The owner must enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands; and,
- (xxxi) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of these lands; and,

- (c) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-97009), DiCenzo Construction Company Ltd. and Vedemo Construction Ltd, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
 - (d) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision; and,
 - (e) That the approved Carpenter Neighbourhood Plan be amended as shown on Appendix "F", to revise the local road pattern and park location as per the proposed draft plan of subdivision. **REFERRED BACK.**
3. (a) That approval be given to Official Plan Amendment No. 142 to redesignate the rear portion of the subject lands from "Residential" to "Commercial" on Schedule A and extend Special Policy Area 31, and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth; and,
- (b) That approval be given to Zoning Application ZAC-97-17, R. Denninger Limited, owner, requesting a change in zoning from "C" (Urban Protected Residential etc.) District to "HH" (Restricted Community Commercial and Shopping, etc.) District modified (Block "1") and "AA" (Agricultural) District to "HH" (Restricted Community Commercial and Shopping, etc.) District modified (Block "2"), to permit the use of the subject lands for commercial development, for lands located at 1289 Upper James Street, as shown on the attached map marked as Appendix "G", on the following basis:
- (i) That Block "1" be rezoned from "C" (Urban Protected Residential etc.) District to "HH" (Restricted Community Commercial and Shopping, etc.) District; and,
 - (ii) That Block "2" be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Commercial and Shopping, etc.) District; and,
 - (iii) That the "HH" (Restricted Community Commercial and Shopping, etc.) District regulations, as contained in Section 14A of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variances as special requirements:

- (1) Notwithstanding Section 14A(3)(a) of Zoning By-law 6593, a front yard depth of at least 24 metres shall be provided and maintained; and,
 - (2) Notwithstanding Section 18(3)(ivc)(b) of Zoning By-law 6593, a landscape planting strip having a minimum width of 6.0 m shall be provided and maintained along the entire easterly lot line of the "HH" District where it abuts a residential district; and,
 - (3) That a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the entire easterly lot line of the "HH" District where it abuts a residential district; and,
 - (4) That a minimum 3.0 m wide landscaped planting strip shall be provided and maintained along the entire westerly lot line, except for any area used for driveway access; and,
 - (iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1388, and that the subject lands on Zoning District Map E-9C be notated S-1388; and,
 - (v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council; and,
 - (vi) That the proposed change in zoning are in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 142 by the Regional Municipality of Hamilton-Wentworth; and,
 - (b) Upon finalization of the implementing By-law the Jerome Neighbourhood Plan be amended by changing the designation of the subject lands from "Commercial and Apartments" to "Commercial".
4. That approval be given Amended Zoning Application ZAC-97-12, A.R.P. Construction Ltd., owner, for a modification to the established "DE" (Low Density Residential Dwelling) District regulations to permit the development of five (5) townhouse units for property located at 780 Upper Paradise Road, as shown on the attached map marked as Appendix "H", on the following basis:
- (a) That the "DE" (Low Density Multiple Dwelling) District regulations, as contained in Section 10A of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:

- (i) That notwithstanding Section 10A, a maximum of five (5) townhouse dwellings shall be permitted subject to the "RT-20" (Townhouse-Maisonette) District provisions of Section 10E, except for the following:
 - (1) A minimum 3.0 m setback shall be permitted along the northerly lot line; and,
 - (2) A minimum 1,131.58 m² lot area shall be permitted; and,
 - (ii) That notwithstanding Section 18A(1) a minimum six (6) parking spaces shall be required; and,
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1389, and that the subject lands on Zoning District Map W37B be notated S-1389; and,
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W37B for presentation to City Council; and,
 - (d) That the proposed modification in zoning is in conformity with the Official Plan for the City of Hamilton Planning Area.
5. That the request of the Business Improvement Area Co-ordinating Committee for Commercial Improvement Programme funding, in the amount of \$315,000 which will result in the funding of \$15,000 per year, for each of the seven B.I.A.'s over the next three years, be referred to the Corporate Management Team with instructions that it be considered a priority in the 1998 - 2007 Capital Budget Deliberations.
6. (a) That Schedule 'B' of By-law No. 97-105, appointing the Downtown Hamilton B.I.A. Board of Management, be repealed and the following names substituted:

SCHEDULE 'B'

J. Livingston	Livingston Furs
R. Harris	Harris and Henderson
C. Jamieson	Fever Night Club/The Parlour/Montfort Restaurant
A. Peckham	The Royal Bank
H. Woods	Canadian Imperial Bank of Commerce
K. Findlay	KD Findlay
G. Attard	The Ramada Hotel
D. Broker	Royal Connaught Howard Johnson Hotel
R. Titian	Reggie's Music and Sound
R. Letourneau	Just Imagine Printing
A. Herpers	Herpers, Gowling Inc.

R. Sorenson	Sundried Tomatoes
M. McNally	Jessey Investments
K. Wiegand	McCarthy Hearing Aids

- (b) That the City Solicitor be directed to amend Schedule 'B' of By-law No. 97-105 pursuant to (a) above.
- 7.
- (a) That the Downtown Hamilton B.I.A. boundaries be expanded to incorporate businesses on the east side of James Street North from the existing boundary to No. 44 James Street North and, on the north side of King William Street from James Street North to Mary Street, as per Appendix "I"; and,
 - (b) That the City Clerk's Department be authorized and directed to circularize the existing and proposed expansion area with the notice of intent to amend the designating by-law in accordance with Section 220 of the Municipal Act; and,
 - (c) That the Law Department be authorized and directed to prepare the necessary amending by-law.
- 8.
- (a) That a letter be sent to the Minister of Canadian Heritage advising that the City supports the recommendation of the Department of Canadian Heritage to implement a Heritage Easement Agreement with the Ontario Heritage Foundation as part of the terms of sale of the CN Station located at 360 James Street North/241 Stuart Street, Hamilton, to the prospective owners in order to ensure the preservation of the railway station; and,
 - (b) That approval be given to the Ontario Heritage Foundation's request for a municipal contribution towards monitoring the Heritage Easement consisting of the following:
 - (i) a one-time contribution to the Ontario Heritage Foundation in the amount of \$8,300 to be financed through the Heritage Acquisition Reserve Account (Centre No. CH00120); and,
 - (ii) annual site visits to be undertaken by municipal Heritage Planning Staff.
9. That approval be given to amend the Gore Heritage 2000 Program by providing an additional matching grant of up to \$20,000 for heritage properties in the Gore Heritage Area (King Street East from James Street to Catharine Street) with a frontage of fifty (50) feet or more.

10. That the Building Commissioner be authorized to issue a demolition permit for 139 Stone Church Road East in accordance with By-law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.
11. That a loan under the Community Heritage Trust Fund Program in the amount of \$9,782 to Ethel Gowling for improvements to 141 St. Clair Avenue be approved, subject to the fulfilment of the borrowing requirements of the Program.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

12. (a) (i) That a loan increase of \$7,237 to Octavio and Mirella Raposo for improvements to 353 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The total loan is now \$25,000. The interest rate is set at 2.38 per cent, amortized over ten years; and,
- (ii) That an increase in grant from the Barton Street Revitalization Fund in the amount of \$3,619 be approved to pay-down the increase of the Commercial Loan as per the terms of the Barton Street Revitalization Program; and,
- (b) (i) That an unsecured loan from the Barton Street Revitalization Fund in the amount of \$5,000 to Octavio and Mirella Raposo, for improvements to 353 Barton Street East be approved, subject to fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,
- (ii) That a grant from the Barton Street Revitalization Fund in the amount of \$2,500 be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.

13. (a) That a secured loan in the amount of \$17,229 to Notarianni Investments Limited, for improvements to 333 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,

(b) That a grant from the Barton Street Revitalization Fund in the amount of \$8,614 be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.
14. (a) That approval be given to the request by John Parente, Solicitor for 822827 Ontario Inc., owner, for a Validation Certificate pursuant to Section 57 of the Planning Act for Lots 3, 5, 7 and 12, Registered Plan 62M-795, "Allison Estates - Phase 1, Stage 2", as shown on Appendix "J"; and,

(b) That the City Solicitor be directed to prepare a By-law in accordance with Section 57 of the Planning Act to legalize the creation of maintenance easements for Lots 3, 5, 7 and 12, Registered Plan 62M-795, "Allison Estates - Phase 1, Stage 2".
15. (a) That the request of Mr. Anthony DiCenzo, Solicitor for DiCenzo Construction Company, owner, to remove part-lot control be approved to establish maintenance easements for Lots 59, 62, 63, 64, 65, 68, 69, 70 and 71, Registered Plan 62M-780 "Sandrina Gardens - Phase 2", as shown on Appendix "K"; and,

(b) That the exempting By-law be restricted to a 1 year effective time period to expire on 1998 October 1; and,

(c) That the Director of Planning and Development be authorized to prepare a By-law, to the satisfaction of the City Solicitor, to remove part lot control from Lots 1 to 24 inclusive and Lots 60, 61, 62, 65, 66, 67, 68, 71 and 72, Registered Plan 62M-780, "Sandrina Gardens - Phase 2" plan of subdivision, be presentation to City Council; and,

(d) That following enactment of this By-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the By-law and endorse the same on the by-law.

16. (a) That approval be given to Part Lot Control Application 97-02, James Kemp Construction Limited, owner, to remove part-lot control for Lot 9, located in "Kemp Estates" Subdivision, to permit the conveyance of 2 blocks to the abutting lots, as shown on the attached map marked as Appendix "L"; and,
 - (b) That the Director of Planning and Development be authorized to prepare a By-law, to the satisfaction of the City Solicitor, to remove part lot control from Lot 9, Registered Plan 62M-812, "Kemp Estates" plan of subdivision, for presentation to City Council; and,
 - (c) That the exempting by-law be restricted to a 1 year effective time period to expire on 1998 October 1; and,
 - (d) That the exempting by-law not be forwarded to Council for adoption until such time as the following conditions have been satisfied:
 - (i) The Owner registering the following Restriction on Title for Lots 8, 9 and 10 to the satisfaction of the Director of Planning and Development and the City Solicitor:

"No buildings or structures shall be allowed to be located within 7.62 metres of the "Top of Bank" as defined by the Hamilton Region Conservation Authority as shown on Plan 62M-812. The area below the "Top of Bank Line" shall be left in its natural state. The planting of non-native species shall not be permitted. The use of fertilizer or pesticides, the placement of any material, equipment or structure within this area shall not be permitted."
 - (ii) The Owner revise the approved grading plan to match the proposed lot line configuration to the satisfaction of the Commissioner, Regional Environment Department; and,
 - (e) That following the enactment of this by-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the by-law and endorse the same on the by-law.
17. That the City of Hamilton accept the sum of \$ 28,400 as cash payment in lieu of 5% land dedication in connection with "Claudette Gardens - Phase 9", Hamilton, this being the cash payment required under Section 51 of the Planning Act.

18. (a) That the City of Hamilton request the Regional Municipality of Hamilton-Wentworth to remove the deferral of the medium density designation on Schedule A5 - Secondary Plan and Policy 13.5.15 of the City of Stoney Creek Official Plan Amendment No. 66 (Olde Town Secondary Plan) provided the following modifications are included in OPA No. 66:
- (i) that Policy 13.5.15 be amended by adding the following words "for residential purposes which may include single-detached dwellings, semi-detached dwellings, townhouses and" between the words 'developed' and 'multiple' so the first paragraph of the policy reads as follows:
- "Those lands designated Medium Density Residential by this Plan and located at No. 71 Centennial Parkway (Cardinal Newman Site), are intended to be comprehensively developed for residential purposes which may include single-detached dwelling, semi-detached dwellings, townhouses and multiple dwelling structures in consultation with the City of Hamilton. In the interim, the uses of these lands shall continue for institutional purposes."
- (ii) That Policy 13.5.15 be amended by adding a second paragraph as follows:
- "Any redevelopment of the Stoney Creek portion of this site will not provide direct vehicular access to Cromwell Crescent in the City of Hamilton. In addition, the height of new buildings adjacent to existing single detached dwellings and future single-family dwelling fronting on Cromwell Crescent will be compatible; however, somewhat higher buildings may be permitted on other portions of the site."
- (b) The City Clerk be requested to inform the City of Stoney Creek of the City of Hamilton's request to lift the deferral for the above noted policy and Secondary Plan designation provided the modifications to Policy 13.5.15 are incorporated in accordance with Section (a) above.
19. (a) That approval be given to the request of J. Parente, Solicitor, for 200 Rymal Road Inc., owner, to remove part-lot control to establish maintenance easements for Lots 1 - 16, inclusive, and Blocks 20 - 22, inclusive, Registered Plan 62M-823 "Allison Estates - Phase 4", as shown on Appendix "M"; and,
- (b) That the exempting by-law be restricted to a 1 year effective time period to expire on 1998 October 1; and,

- (c) That the Director of Planning and Development be authorized to prepare a By-law, to the satisfaction of the City Solicitor, to remove part lot control from Lots 1 - 16, inclusive, and Blocks 20 - 22, inclusive, Registered Plan 62M-823 "Allison Estates - Phase 4" plan of subdivision, be presented to City Council; and,
 - (d) That following enactment of this by-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the by-law and endorse the same on the by-law.
20. That the total outstanding Commercial Property Improvement Loan Program for Andrea DiSiena, 253 James Street North, in the amount of \$2,971.57 be placed on the tax rolls.
21. That the total outstanding Commercial Property Improvement Loan Program for 84 - 84 1/2 Ottawa Street North, in the amount of \$8,575.83 be placed on the tax rolls.
22. That the total outstanding Commercial Property Improvement Loan Program for 213, 215, 217 Ottawa Street North, Hamilton, in the amount of \$33,007.36 be placed on the tax rolls.
23. That the appropriate staff (eg. Law and Planning and Development Departments) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-97-159, respecting property located at No. 35 Proctor Boulevard.
24. (a) That a Steering Committee be established under the auspices of the Commissioner of Public Works and Traffic, to address the pending impact of Bill 106 "The Fair Municipal Finance Act" on B.I.A.'s which comes into effect 1998 January 1; and,
- (b) That the composition of the Steering Committee be as follow:
- (i) Two elected officials
 - (ii) A representative from the Public Works and Traffic Department
 - (iii) A representative from the City Clerk's Department
 - (iv) A representative from the Treasury Department
 - (v) Three members of the B.I.A. Co-ordinating Committee; and,

- (c) That the Steering Committee be requested to review Bill 106 and address the following:
 - (i) The appropriate process for approval of the 1998 B.I.A. Budgets
 - (ii) The appropriate process for approval of the 1998-2000 B.I.A. Boards of Management
 - (iii) Municipal/B.I.A. division of responsibilities; and,
 - (d) That the Steering Committee report back its findings to the Committee at its October meeting.
25. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) C-57 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal No. 120 Ferrie Street.
 - (b) C-58 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located Between Municipal Nos. 14 and 24 East 35th Street.
 - (c) C-59 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located East of Omni Boulevard and North of Stone Church Road West.
 - (d) C-60 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal No. 100 Locke Street South.
 - (e) C-61 A By-law to Amend By-law No. 87-308 as Amended by By-laws No. 92-079 and 97-54 Respecting Members of the Board of Management of the Barton Village Business Improvement Area.
 - (f) C-62 A By-law to Amend By-law No. 92-078 as Amended by By-law No. 97-014 Respecting Members of the Board of Management of the Main Street West Esplanade Business Improvement Area.
 - (g) C-63 A By-law to Designate Land Located at Municipal No. 100 West Fifth Street as Property of Historic and Architectural Value and Interest.
 - (h) C-64 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 1468 and 1478 Upper James Street.
 - (i) C-65 A By-law to Establish Site Plan control Respecting Lands Located at Municipal Nos. 1468 and 1478 Upper James Street.

- (j) C-66 A By-law to Adopt Official Plan Amendment No. 141 Respecting Lands Located South of Rymal Road West and East of Upper Paradise Road within the Carpenter Neighbourhood. **REFERRED BACK.**

26. Whereas there are approximately twenty-five residential care facilities currently located within the Stinson Neighbourhood, many of which are legal non-conforming uses, having been established prior to the existing zoning by-law; and,

Whereas there would only be about six such facilities in Stinson if the required distance separation of 180 m. was strictly adhered to, the entire neighbourhood is saturated with such uses, except for a small area near the south-east corner of Stinson; and,

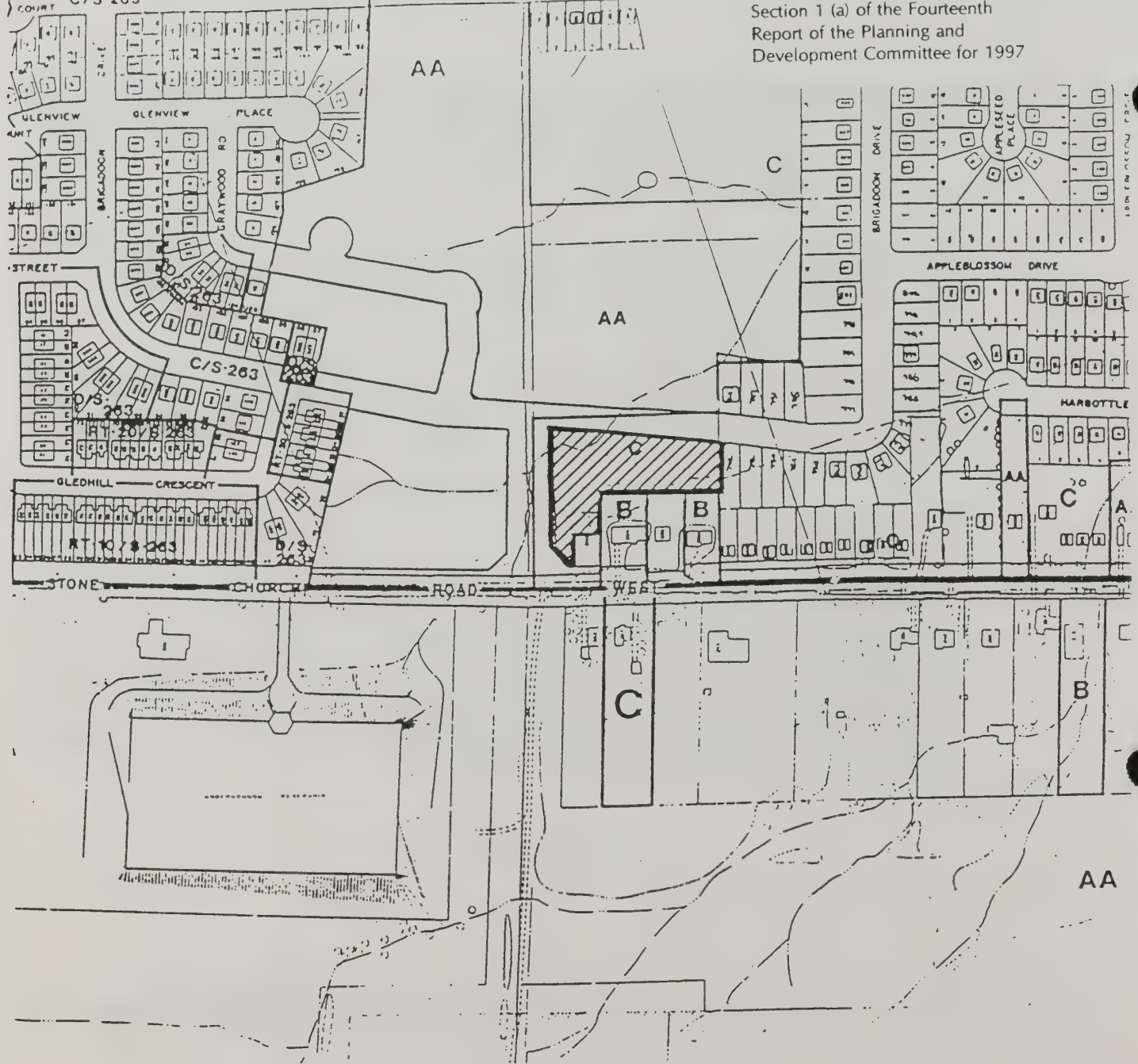
Whereas the number and concentration of such care facilities is a concern to residents in the Stinson Neighbourhood;

Therefore be it resolved that a zoning by-law amendment be undertaken to prohibit residential care facilities in the portion of the Stinson Neighbourhood in which they are presently permitted, namely lands in the vicinity of Alanson Street and the south end of Erie Avenue, and that the various Departments of City Hall be particularly sensitive to this matter and that the rules and regulations pertaining to "non-confirming uses" in the Stinson Neighbourhood be strictly adhered to. **ADDED.**

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

**Kevin C. Christenson, Acting Secretary
1997 September 24**



Legend



Site of the Application

Reference File No.

SAC-97-03

Drawn By

Date

S.H.

Aug 1997

Scale

Not to Scale

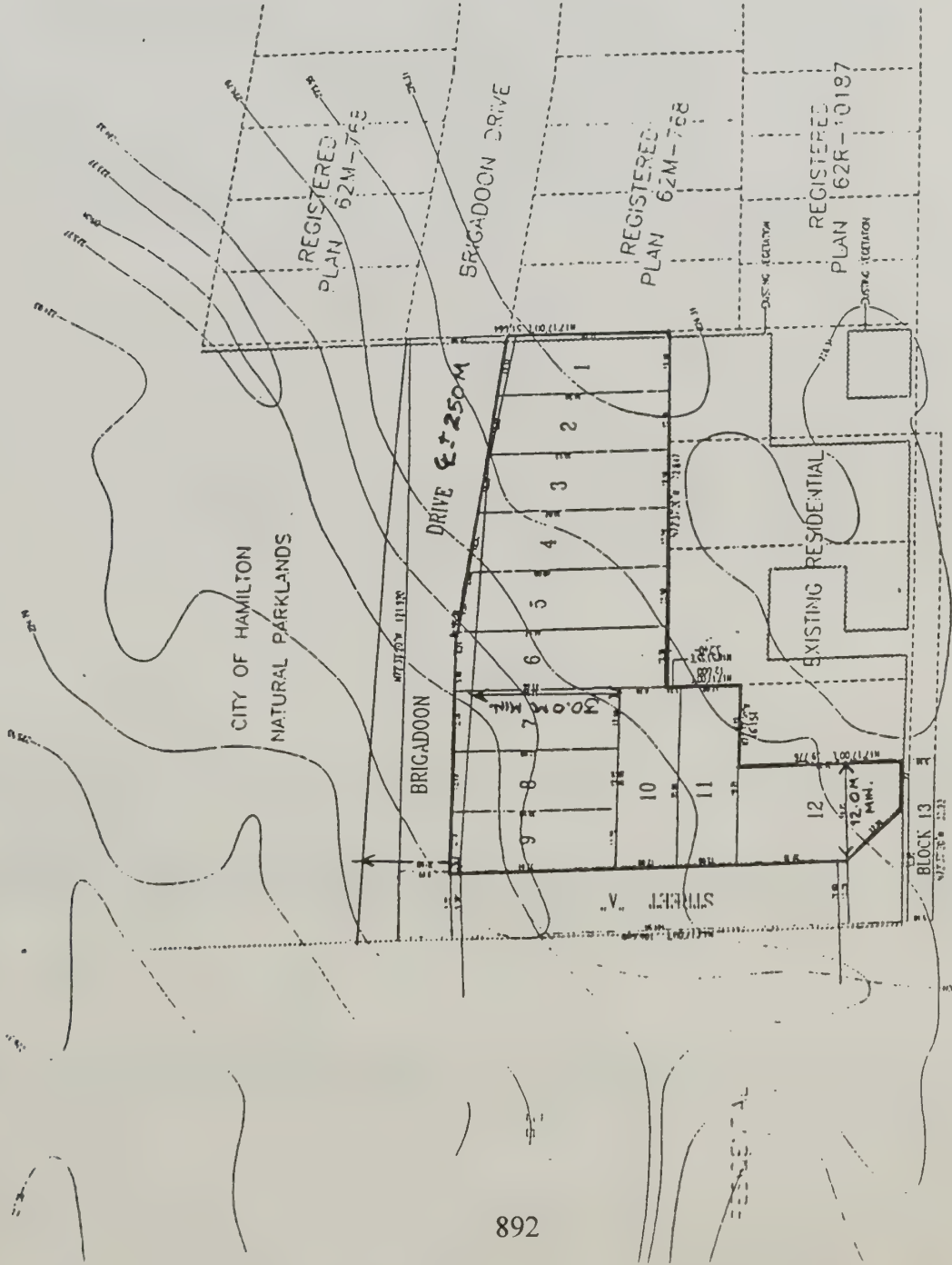
North



APPENDIX "A"

FOR
BRIGADOON PARK
HAMILTON, ONTARIO
BEING PART OF LOT 1A, CONVEYED BY
PLAN 62M-768 IN THE TOWNSHIP OF MANTON
NOT IN THE CITY OF HAMILTON
RECREATION MUNICIPALITY OF
HAMILTON - WESTMANTON
REQUIREMENTS OF THE PLANNING ACT
FOR 1990 SECTION 54 (2)

Appendix "B" as referred to in
Section 1 (a) (i) of the Fourteenth
Report of the Planning and
Development Committee for 1997



STONE CHURCH ROAD WEST

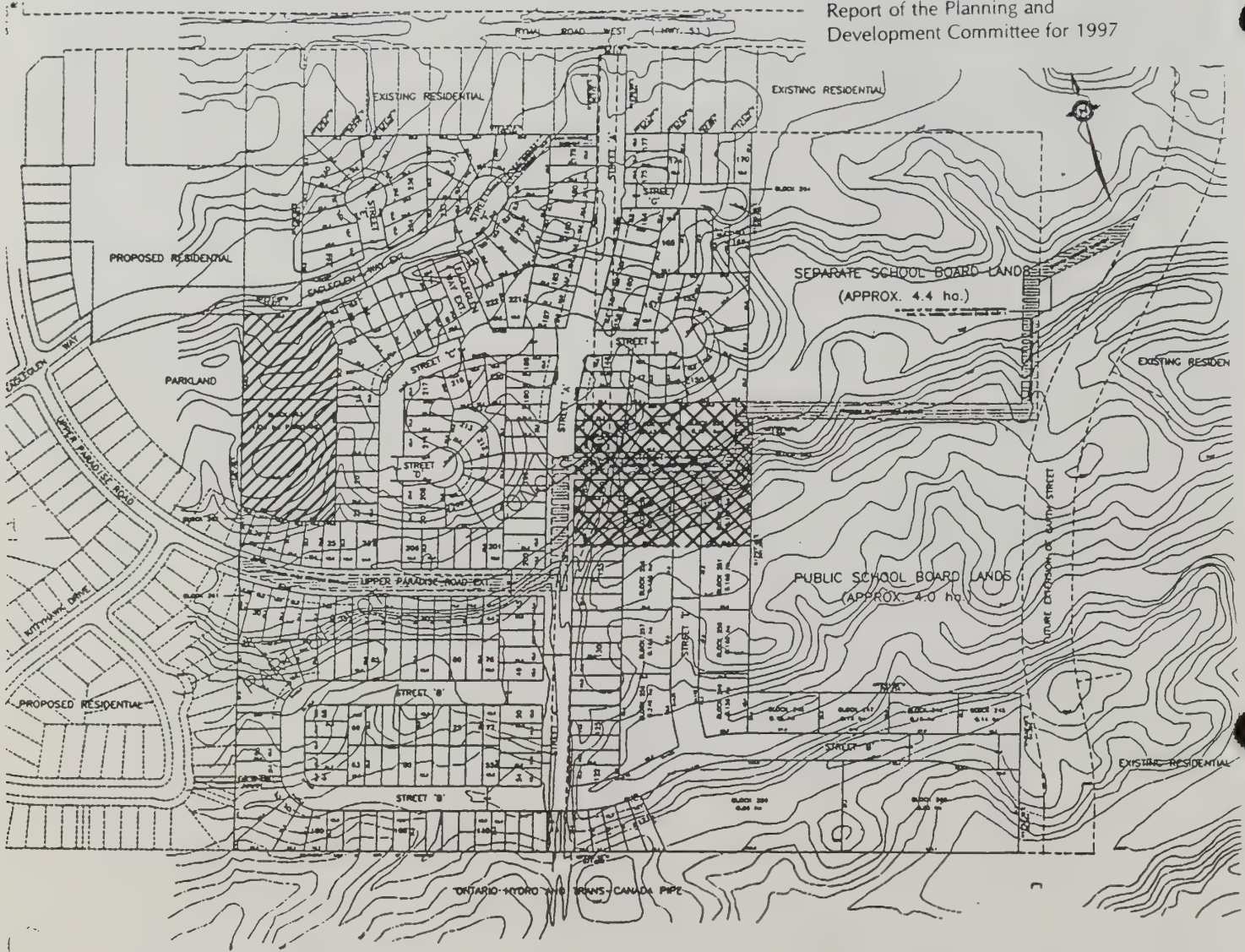
ROAD ALLOWANCE BETWEEN CONCESSIONS 7.2M

APPENDIX "B"
Proposed Plan of Subdivision

APPENDIX "B" - LAND USE SCHEDULE		OWNER'S CERTIFICATE		SURVEYOR'S CERTIFICATE		NOTES		KEY		PROFES		SCALE		DRAWN BY		DATE		
USE	AREA	DATE	NAME	DATE	NAME	DATE	NAME	DATE	NAME	DATE	NAME	DATE	NAME	DATE	NAME	DATE	NAME	DATE
1	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
2	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
3	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
4	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
5	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
6	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
7	7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0
8	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0
9	9.0	9.0	9.0	9.0	9.0	9.0	9.0	9.0	9.0	9.0	9.0	9.0	9.0	9.0	9.0	9.0	9.0	9.0
10	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0
11	11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0
12	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0

Appendix "B" as referred to in Section 1 (a) (i) of the Fourteenth Report of the Planning and Development Committee for 1997

Appendix "C" as referred to
in Section 2 (a) of the Fourteenth
Report of the Planning and
Development Committee for 1997



Legend

- BLOCK 1  Lands to be redesignated from "Open Space" to "Residential" (Lots 127 - 143, inclusive, and Blocks 252 - 255, inclusive, on proposed Draft Plan of Subdivision)
- BLOCK 2  Lands to be redesignated from "Residential" to "Open Space" (Block 263 on proposed Draft Plan of Subdivision)

Reference File No.

SAR-97-04

Drawn By

Date

R.L.

August 1997

Scale

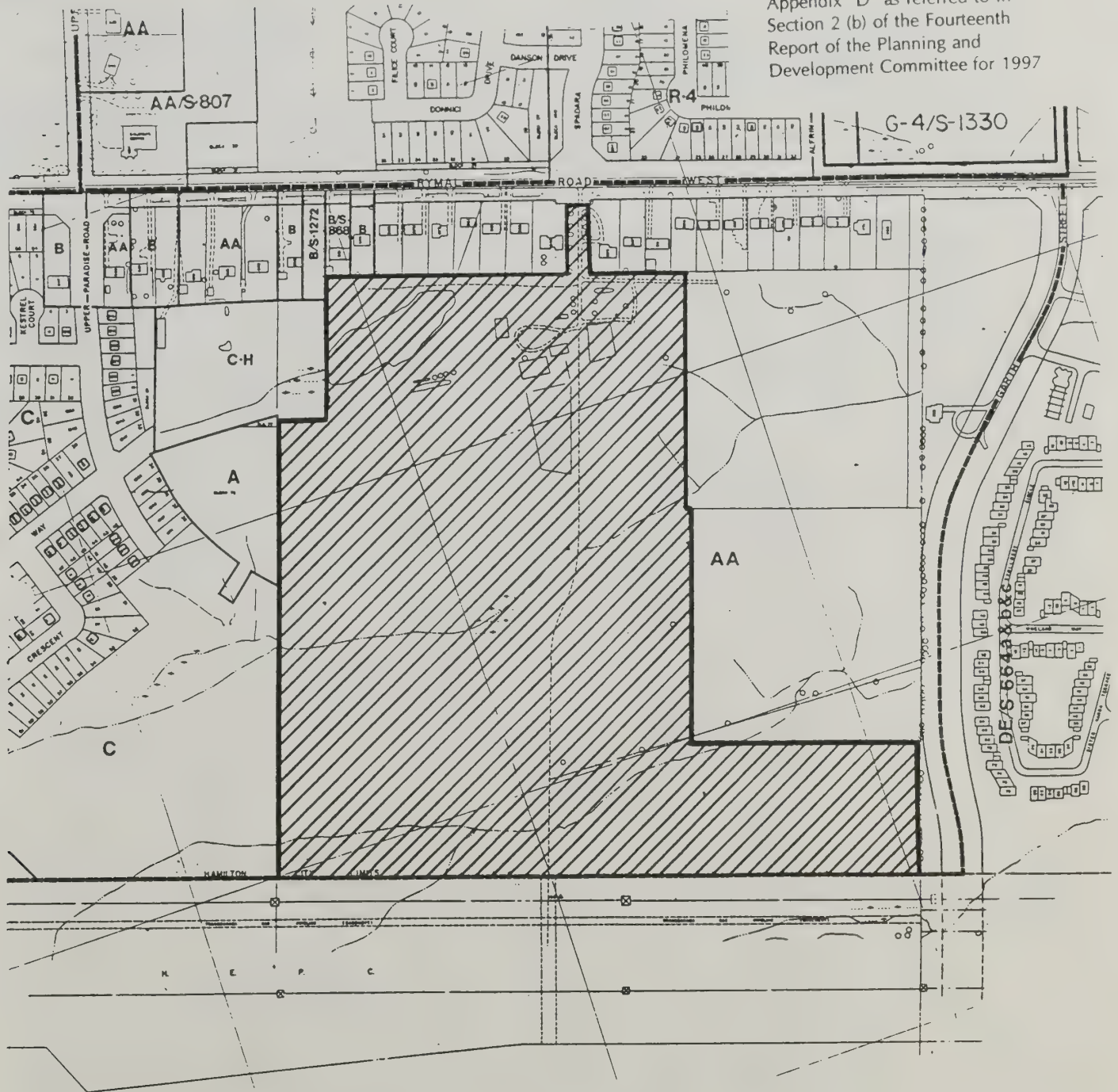
Not to Scale

North



APPENDIX "C"

Appendix "D" as referred to in
Section 2 (b) of the Fourteenth
Report of the Planning and
Development Committee for 1997



Legend



Site of the Application

Reference File No.

SAR-97-04

Drawn By

Date

B.B.

Aug. 1997

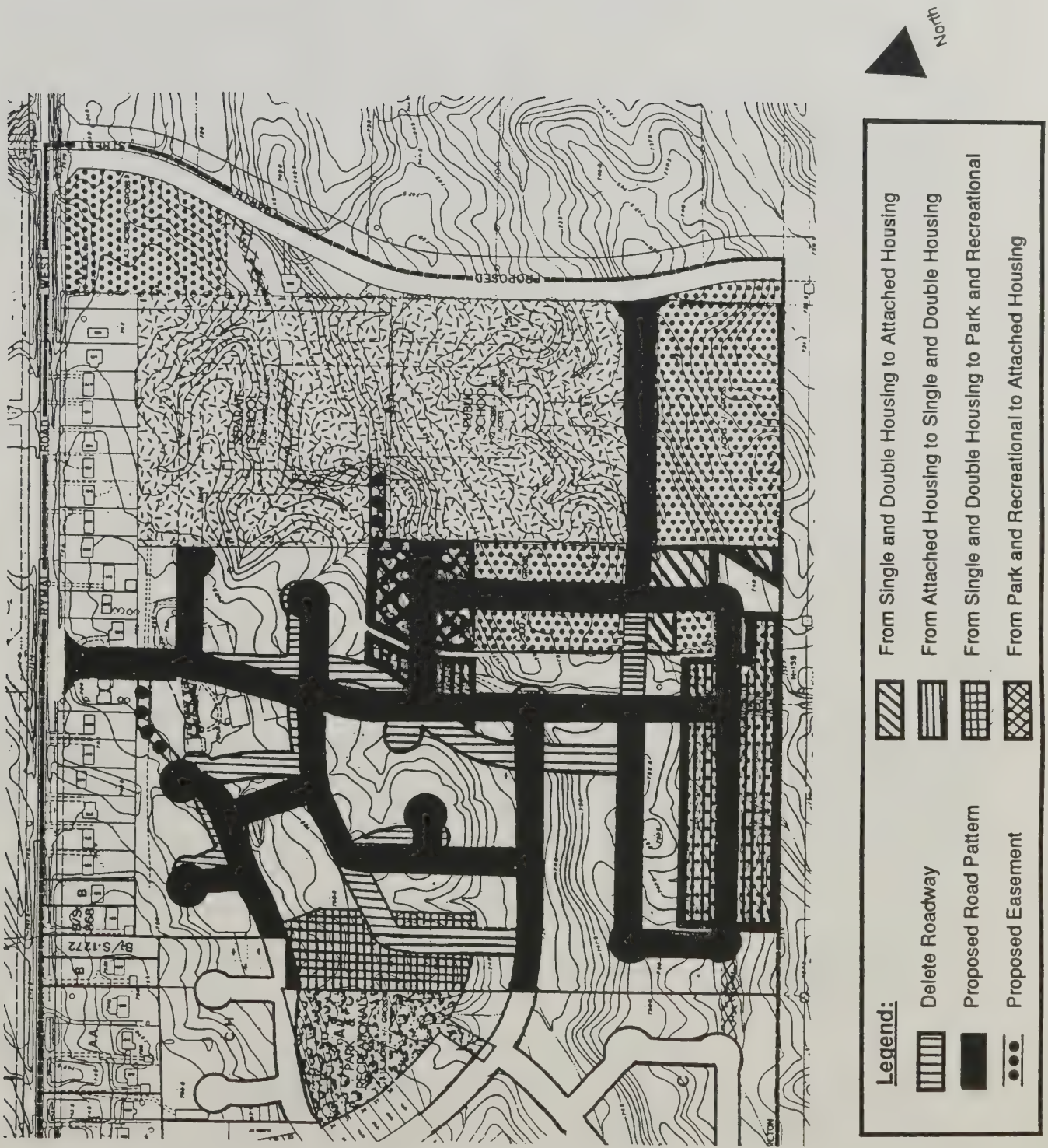
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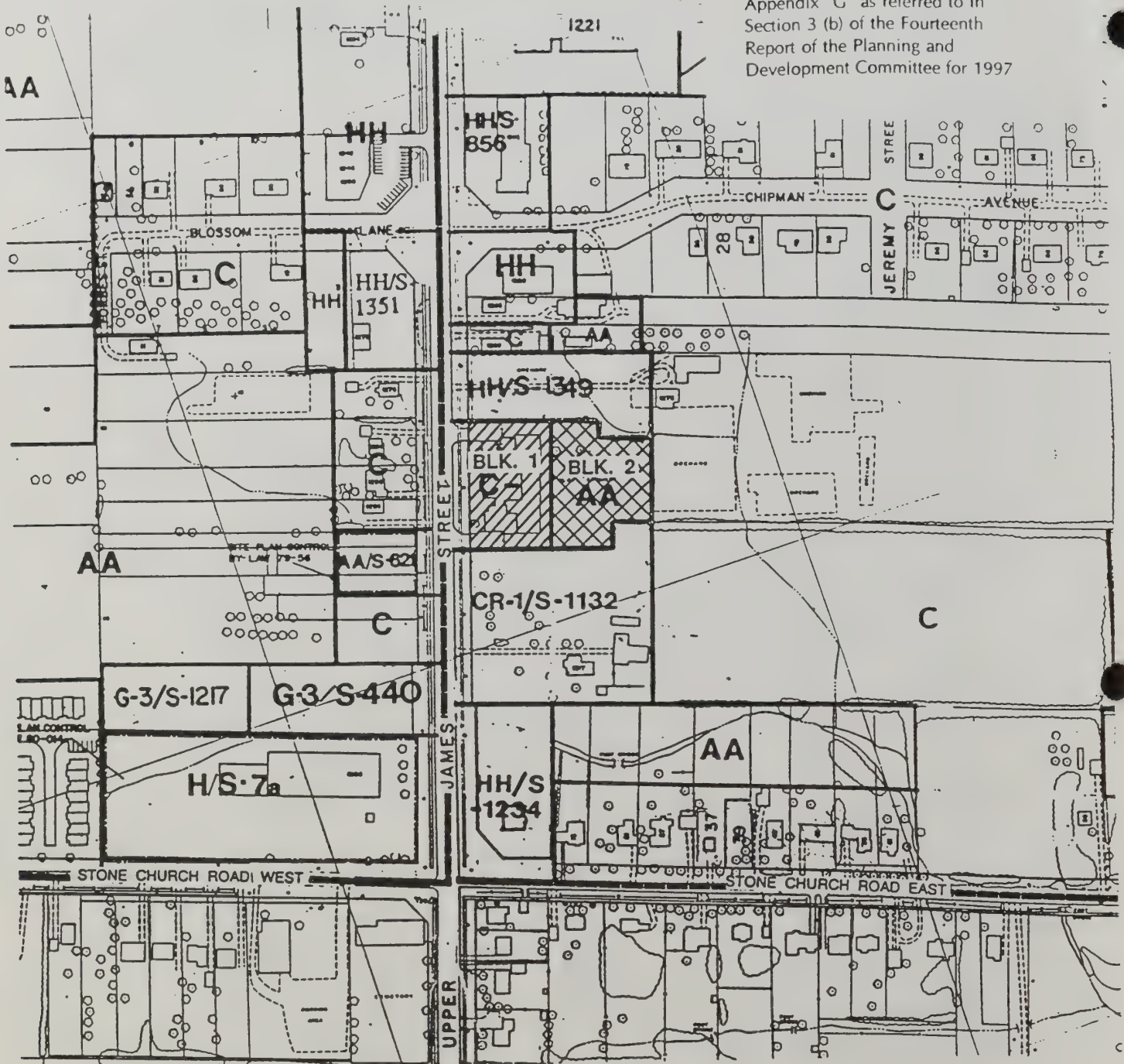
North



Appendix "F" as referred to in
Section 2 (b) 22 of the Fourteenth
Report of the Planning and
Development Committee for 1997



Appendix "G" as referred to in
Section 3 (b) of the Fourteenth
Report of the Planning and
Development Committee for 1997



Legend

BLOCK 1



BLOCK 2



CHANGE IN ZONING FROM :

"C"(Urban Protected Residential, etc.) District To
"HH"(Restricted Community Shopping and
Commercial) District, Modified.

"AA" (Agricultural) District To "HH" (Restricted
Community Shopping and Commercial)
District, Modified.

Reference File No.

ZAC-97-17

Drawn By

Date

R.L.

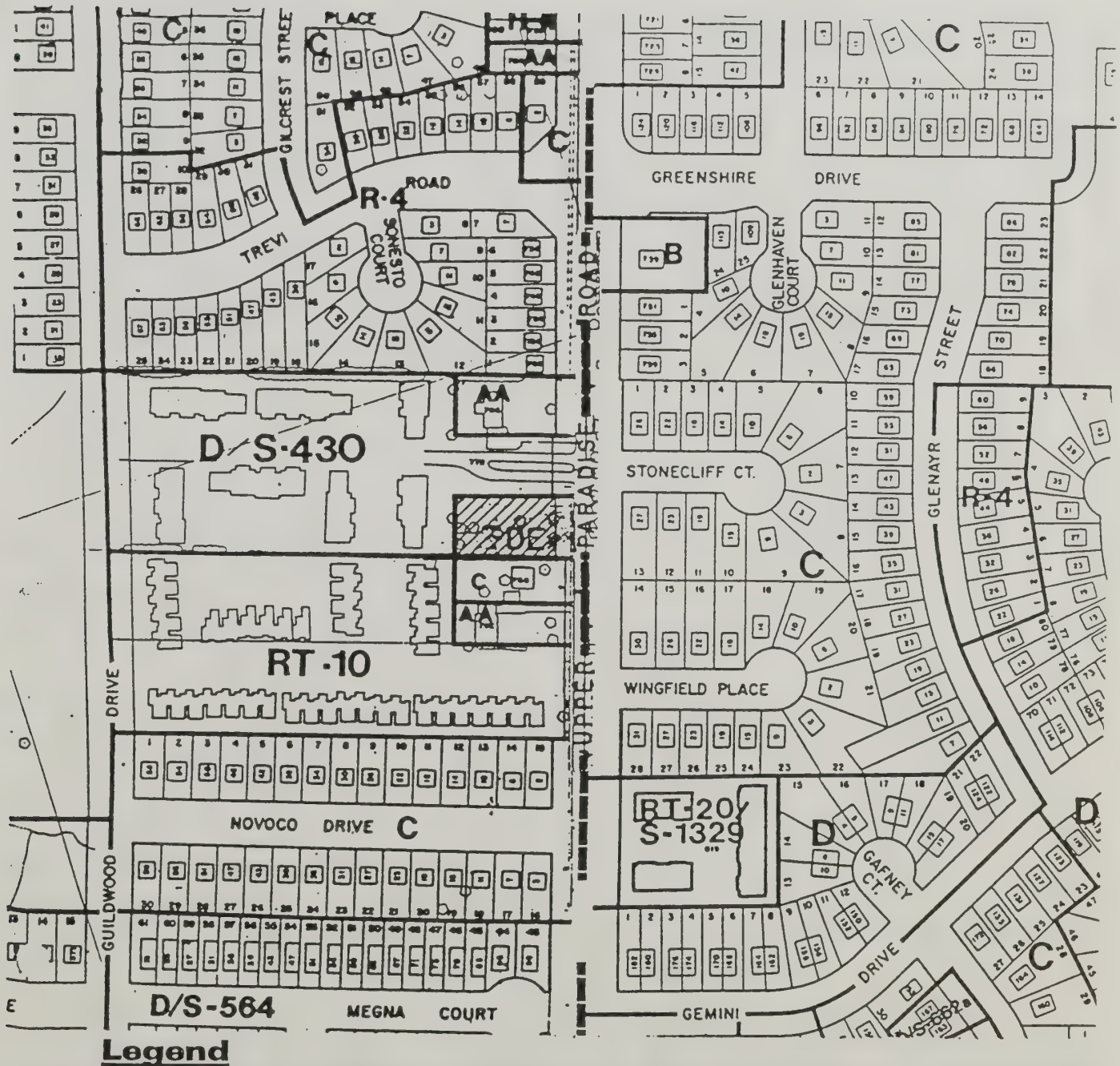
Sep. 1997

Scale

Not to Scale

North





Legend



Site of the Application

Reference File No.

ZAC-97-12

Drawn By

Date

B.B.

Aug. 1997

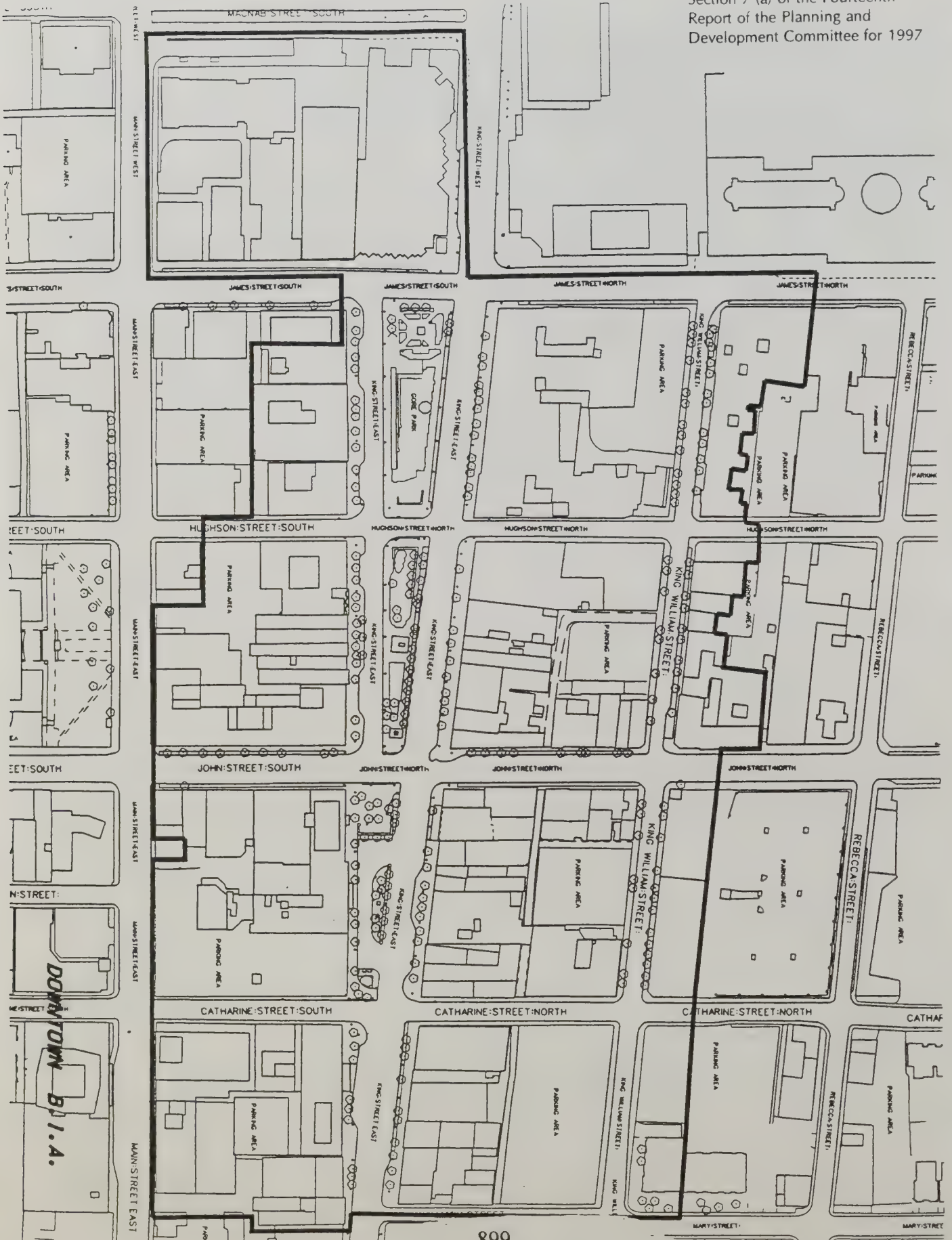
Scale

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North



Appendix "I" as referred to in
Section 7 (a) of the Fourteenth
Report of the Planning and
Development Committee for 1997



E. J. Parker
LAND REGISTRAR

THEIR PLAN COMPLETES PER 16903-0168
PER 16903-0167
SUBJECT TO FASEWEN AS SET OUT IN POST-NEW 17-12-11

Allison Estates
Phase 1, Slag 2

BEING A SUBDIVISION OF
LOT 33 AND BLOCK 34
REGISTERED PLAN 62M-778
 AS SHOWN IN THE GEOGRAPHIC
 TOWNSHIP OF CLANFORD
CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
 SCALE 1:500

WACKAY, WACKAY & PETERS LIMITED

Loueyon's Bonifical

1. CERTAIN THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER
2. THIS SURVEY WAS COMPLETED ON THE 16th DAY OF MAY 1964

SEPTEMBER 11, 1946

Date

James L. Jones was
Ontario who was not

Owner's Barbedale

LOTS 1 TO 19, BOTH INCLUDING THE STREETS NAMEDLY SLOAN, COL
BLOCKS 20 & 21, AND 0.300 ACRES NAMEDLY BLOCKS 22 & 23
HAVE BEEN Laid OUT IN ACCORDANCE WITH AN ORDINANCE

THE STREET WE'VE BEEN DEVOTED TO THE COMING

DATE	AT	LOCATION	ONWARD
1994	11th	DAY OF	SEPTEMBER

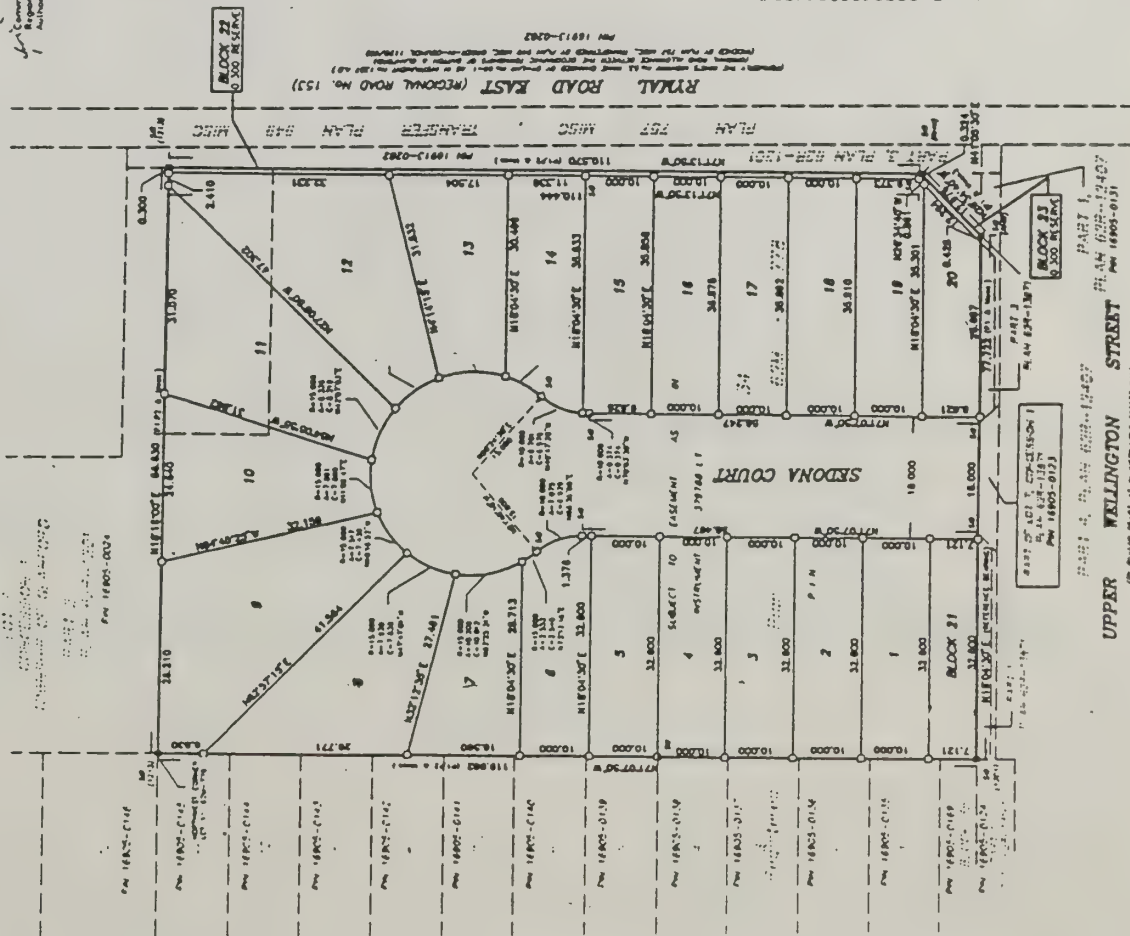
200 BRIMLEY ROAD, NEW YORK, N.Y. 10023

JOHN A. PEARCE
I HAVE THE AUTHORITY TO SIGN THE CONSENT

ONTARIO LAND SURVEYOR'S ESTABLISHED 1824
SUITE 700, UNION GAS BUILDING
3 WILSON BOULEVARD
MISSISSAUGA, ONT. L4X 1L1

APPROVED UNDER SECTION 50 OF THE PLANNING ACT
BY THE COMMISSIONER OF PLANNING AND DEVELOPMENT
OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

For Commissioner for Planning and Development
Regional Municipality of Hamilton-Wentworth
Authorized by By-Law no. 288-171



UPPER WELLINGTON STREET

(1986) *Journal of Applied Behavior Analysis*, 19, 709-711.

W 16905-0128

11

"

Erzeugung durch
Schmelzen



PLC-95-02

Date _____

Sept. 1997

Not to Scale

Appendix "M" as referred to in
Section 19 (a) of the Fourteenth
Report of the Planning and
Development Committee for 1997

PLAN 62M-

I CERTIFY THAT THIS PLAN 62M-
IS REGISTERED IN THE LAND REVENUE
FOR THE LAND TITLES DIVISION OF WENTWORTH (62)
AT O'CLOCK ON THE DAY OF
19 AND ENTERED IN
THE REGISTER FOR PIN
AND REQUIRED CONSENTS AND AFFIDAVITS ARE
REGISTERED AS PLAN DOCUMENT NO

LAND REGISTRAR

THIS PLAN COMPLETES PART OF PLAN 16009-0152

Allison Estates

Phase 4
BEING A SUBDIVISION OF
PART OF LOT 7
CONCESSION 1
IN THE GEOGRAPHIC
TOWNSHIP OF CLANFRANK

ON THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON—WENTWORTH
SCALE 1:4100

MACKAY, MACKAY & PETERS LIMITED
1997

Surveyor's Certificate

1. THIS SURVEY WAS COMPLETED IN ACCORDANCE WITH SURVEY'S ACT, THE SUMMONS ACT AND THE PROSECUTION MADE THEREUNDER
2. THIS SURVEY WAS COMPLETED ON THE 20TH DAY OF

AUGUST 20th, 1947

W. R. Clark
to BRUCE CLARK
DISTRICT LAND SURVEYOR

Owner's Certificate

THIS IS TO CERTIFY THAT

LOTS 1 TO 18, 90TH INCLUSIVE, THE STREETS NAMELY
ALCANTARA MOLLUANO AND 1300 SEVERES BLUCH I
TO 13, 60TH INCLUSIVE HAVE BEEN LAID OUT IN ACCO
RDANCE WITH THE FOLLOWING INSTRUCTIONS

1. THE LOTS ARE HEREBY DEDICATED TO THE COMMON
USE OF THE CITY AND PUBLIC HIGHWAYS

DATE OF RECEPTION: 10/10/1961

200 RURAL ROAD INC B d J L
a DISVETER
TREASURER
I HAVE THE AUTHORITY TO SIGN

MACKAY
 MACKAY
 & PETERS

APPROVED UNDER 'SECTION 51 OF THE PLANNING ACT
BY THE CHAIRSMAN OF THE BOARD
OF THE NATIONAL UNIVERSITY OF WATER POLY-TECHNICAL

Commission of Envestment
Regional Municipality of Hamilton-Wentworth
Authorized by By-Law no. R 88-171

Hearing Reference

Hearing Reference

710 JOURNAL OF DOCUMENTATION

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTIETH** Report for 1997 and respectfully recommends:

1. (a) (i) That 30 Linden Street be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and,
 - (ii) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law; and,
- (b) (i) That an Offer to Purchase 30 Linden Street for the price of \$56,500, executed by D. Carl-Drage, dated 1997 September 8, be accepted. The said land has a frontage of 30.59 metres (100.36 feet) and a depth of 28.042 metres (92.0 feet), being Part 2 on Plan No. RB-H-589 Surveys, with structures thereon, said transaction scheduled to close on 1997 November 21. This land vested in the City as a result of no bids upon its sale for tax arrears under the Municipal Tax Sales Act. Funds derived from this sale less commission be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,
 - (ii) That the required deposit cheque in the amount of \$5,650 be held by the City Treasurer pending Council approval; and,
 - (iii) That upon successful completion of this sale, a real estate commission of 6% of the sale price be paid to Royal LePage Commercial Inc. (Sales Representative Stephen Green), who acted in this matter; and,
 - (iv) That the Offer be approved subject to clauses which state:
 - (1) That the Purchaser acknowledges and agrees there are no warranties and/or representations by the Vendor (City) whatsoever and the property be purchased on an "as is" basis; and,
 - (2) That the Purchaser has relied upon his own investigation with respect to the quantity, value and title to the property; and,

- (3) That Part 1 on Plan No. RB-H-589 Surveys be incorporated into the road allowance of Linden Street on or before the closing of this transaction; and,
 - (4) That prior to the closing of this transaction, that the existing chain link fence and posts located along the northern limit of Part 1 on Plan No. RB-H-589 Surveys and any materials, equipment, goods or products found on the surface of the said Part 1 be removed at the Purchaser's sole expense; and,
 - (v) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (1) Satisfactory notice has been given to the public of the intended sale; and,
 - (2) An appraisal of the fair market value of the real property intended to be sold was obtained on 1997 September 23; and,
 - (vi) That the Commissioner of Transportation be authorized to incorporate Part 1 of Plan No. RB-H-589 Surveys into the road allowance of Linden Street by By-law.
- 2.
 - (a) That an Offer to Purchase Agreement, duly executed by Circle M Ranch Flamborough Inc., on 1997 September 11 and scheduled to close on or before 1997 November 4, for the vacant lands composed of part of Lots 55 and 56, in the Beloit Survey, known as Plan No. 414, having a frontage of 6.55 metres (21.5 feet) more or less, along the eastern limit of Cavell Avenue (formerly Berlin Avenue) and a depth of 24.38 metres (80.0 feet) more or less, known municipally as 188 Cavell Avenue, Hamilton, which lands were vested with the Corporation of the City of Hamilton as a consequence of proceedings under the Municipal Tax Sales Act, R.S.O. 1990, Chapter M.60 as amended, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$8,000 less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,
 - (b) That the required deposit cheque in the amount of \$750 be held by the City Treasurer pending Council approval; and,

- (c) That upon successful completion of this sale, a real estate commission of 6% of the \$8,000 sale price be paid to Homelife/State Realty Ltd. (Sales Representative Pegi O'Grady-Serafini), who acted in this matter; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (e) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (i) Satisfactory notice has been given to the public of the intended sale; and,
 - (ii) An appraisal of the fair market value of the real property intended to be sold was obtained on 1997 September 23; and,
 - (iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
3. (a) That the City resolve Ontario Court (General Division) Action # 10320/95 by the payment to the Plaintiff, Jean Gold, of the sum of \$7,500 inclusive of all claims for damages, interest and costs; and,
- (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
- (c) That Ontario Court (General Division) Action # 10320/95 be dismissed without costs.
4. That the City Solicitor be authorized to execute a consent in Court File No. 513/97, to obtain an Order directing compliance with terms of the Fire Code for 686 Queenston Road, Hamilton as against 1200791 Ontario Inc. and dismissing the action as against the other respondents.
5. (a) That the position of Manager of Systems Planning within the Information Systems Department be deleted and that the incumbent in the position be severed in accordance with City policies and procedures; and,
- (b) That the position of Microfilming Technician II within the Information Systems Department be deleted and that the remaining staff position in the Microfilming section and the budget associated with the Microfilming operation be transferred to the City Clerk's Department effective 1998 January 1; and,

- (c) That the Region be advised that the position of Administrative Assistant III in the Information Systems Department was vacant effective 1997 June 30th and the position is to be deleted; and,
 - (d) That the total staff complement for Support Services Technicians in the Information Systems Department be increased by two effective 1998 January 1.
6. (a) That the following question, forwarded to the City by the Regional Municipality of Hamilton-Wentworth for consideration, be placed on the electoral ballot for the 1997 November 10th Municipal Election, and that the response to this question guide the decision making process for the implementation of a Model Tobacco Control By-law in the City of Hamilton by 1998 June 1:

"The City of Hamilton is considering a Model Tobacco Control By-law that would make all public places and workplaces, **with some exceptions**, smoke-free by 2000 June 1.

Are you in favour of the Council of the Corporation of the City of Hamilton passing this by-law?

Yes ___ No ___ "

- (b) That the appropriate by-law be presented to City Council for enactment.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Copps, Wilson, Collins, Charters, Jackson, Anderson, -9.

NAYS: Aldermen Agro, McCulloch, Drury, Morelli, Eisenberger, Merling, D'Amico, Ross. -8. **CARRIED.**

7. That Xerox Canada Ltd. be awarded the maintenance contract for the City-owned Xerox 5090 photocopier for a term to expire 1998 December 31, with two - one year renewal periods at the discretion of the City Clerk's Department, at a base monthly cost of \$309.46 and \$0.0063 per copy.

8. That the Terms of Office for the existing Citizen Members of the various City Committees, Local Boards and Commissions expiring at the end of 1997, be extended until 1998 February 10, or until their successors are appointed, to allow the Committees, Local Boards and Commissions to function until such time as the newly elected Council has had an opportunity to undertake the necessary actions to fill these vacancies.

9. That a By-law be enacted to provide for the reduction of opening hours with respect to a voting place described in Sub-section 45(7) of The Municipal Elections Act, 1996 that is only for the use of residents of the institution or retirement home, in a Municipal Election, as follows:

The close of voting on voting day may take place prior to 8:00 p.m. where:

- (a) Every Elector whose name appears on the Voters' List for the premises has requested a ballot, and either voted, or been afforded an opportunity to vote, left the polling place without returning the ballot, or declined to vote and returned the ballot; and,
- (b) The Deputy Returning Officer has verified with the Administrator of the premises which is described in Sub-section 45(7) that no other qualified Electors reside within the premise; and,
- (c) The Deputy Returning Officer has confirmed with an Election Official at the Election Office of the City of Hamilton that the requirements prescribed under Clauses (a) and (b) have been met.

10. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

12 Burfield Ave.	134 East 36th St.
378 Avondale St.	29 Depew St.
1837 Main St W.	47 Glenburn Crt.
134 Cavell Ave.	32 Harvey St.
21 Cheever St.	179 Kimberley Dr.
131 Kensington Ave N.	232 Hunter St E.

(b) That a by-law to authorize the said Extension Agreements be enacted by Council; and,

- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.
- 11. That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of \$12,973.74 be approved and charged to CH55307-24104 Tax Remissions.
- 12. That as referred to in Section 4 of the Ninth Report for 1997 of the Transport and Environment Committee, approved by City Council on 1997 August 26th, the cost of landscaping the median at the intersection of Arrowsmith Road and Centennial Parkway, in an amount not to exceed \$40,000, be financed from the Reserve for Services through Unsubdivided Lands, Account Centre No. CH 00107.
- 13. That a purchase order be issued to Joe Johnson Equipment, Barrie, in the amount of \$103,408, including all applicable taxes and trade-in, for the replacement of one (1) Detachable Snow Blower Unit #9601 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649751023.
- 14. That a purchase order be issued to Altech Industries Ltd., Milton, in the amount of \$131,100, including all applicable taxes, for the replacement of two (2) Truck Chassis complete with Service Bodies Units #6014 and 6015 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649651019.
- 15. That a purchase order be issued to City Chevrolet, Oldsmobile Ltd., Hamilton, in the amount of \$99,460.05 including all applicable taxes, for the replacement of three (3) Extended Cab Pick-ups #1435, 9096 and 9393 for Fleet Services, being the lowest tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5530 649751023.
- 16. (a) That City Council endorse the following five principles outlined in the Federation of Canadian Municipalities Municipal Telecommunications Access Agreement:

- (i) Municipal Governments must have the ability to control the number and types of aboveground telecommunications pedestals, kiosks, etc., and the location of underground infrastructure; and,
 - (ii) The use of municipal rights-of-way by telecommunications companies must not impose financial costs on municipal governments and taxpayers; and,
 - (iii) Municipal governments must not be responsible for the costs of relocating telecommunications infrastructure if relocation is required for planning or other reasons deemed necessary by the municipal government; and,
 - (iv) Municipal governments must not be liable for any economic loss, legal costs or physical restoration costs resulting from the disruption of telecommunications services arising out of the actions of a municipal government unless grossly negligent; and,
 - (v) Municipal governments must receive revenues over and above their direct costs in providing access to rights-of-way as proper compensation for the use of municipal property for profit; and,
- (b) That City Council establish a policy, as proposed by the FCM Big City Mayors' Caucus, whereby access to municipal rights-of-way will be denied to any telecommunications firm which does not agree in writing to the five principles as referenced above; and,
 - (c) That approval be given for a Telecommunications Municipal Right-of-Way Fund Contribution in the amount of \$6,370 to be made to the Federation of Canadian Municipalities Big City Mayors' Caucus as the City's per capita portion; and,
 - (d) That funding for this expenditure be charged to Centre CH80040 - Public Relations; and,
 - (e) That the FCM Big City Mayors' Caucus be advised of the City's approval of the above noted actions with respect to the Telecommunications: Access to Municipal Rights-of-Way Action Plan.
17. (a) That the City of Hamilton provide funding in an amount up to \$3,000 to host a dinner reception for the 1997 Ontario Universities Athletic Association -Golf Tournament, to be held at King's Forest on 1997 October 6; and,

- (b) That funding for this expenditure be financed as an approved overdraft within the account Special Civic Receptions and Delegation Hosting, Account Number CH 54314 84010.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

18. (a) That the City of Hamilton provide funding in an amount up to \$3,000 to co-host a dinner reception for delegates of the Community Policing and Aboriginal Justice Symposium, at the Hamilton Convention Centre on Thursday, 1997 October 16; and,
- (b) That funding for this expenditure be financed as an approved overdraft within the account Special Civic Receptions and Delegation Hosting, Account Number CH 54314 84010.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

19. (a) That the City of Hamilton provide funding in an amount up to \$1,000 to host a small reception dinner for approximately twenty-five people for dignitaries from the Abruzzo Region of Italy; and,
- (b) That funding for this expenditure be financed as an approved overdraft within the account Special Civic Receptions and Delegation Hosting, Account Number CH 54314 84010.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

20. That the 1996 Post Audit Letter containing recommendations and comments affecting the City's Accounting Systems, Procedures and Controls and subsequent Management Action be accepted.
21.
 - (a) That the City Treasurer be authorized to set-up the cost of "Pay-on-Foot" - Parking Control System in the amount of \$344,827 for the Eaton Centre Parkade and \$305,537 for the Convention Centre Garage to a total of \$650,364 as a Capital Project; and,
 - (b) That the City Treasurer be further authorized to provide the above amount as a Capital loan to the Parking Authority as there are no funds available from the Reserve for Off-Street Parking and that the Parking Authority operating account be charged with the financing cost at the current 5 year Canada Bond Rate which is currently @ 5.53%; and,
 - (c) That the above loan to the Parking Authority be financed from the Reserve for Debt Charges, Account Centre No. CH 00108, and be repaid back to the City as per Appendix "A", herewith attached, out of the Parking Authority Current Budget Provision for the Pay-on-Foot Lease Cost Provision.
22.
 - (a)
 - (i) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049:
 - (1) Part of the former Garnet Avenue and the former MaClanders Street road allowance, being Part 18 on Plan 62R-11788; and,
 - (2) Part of the former Limeridge Road West road allowance, being Parts 2 and 3, Plan 62R-11800 (Part 2, being subject to Easements in Instrument Nos 191966C.D. and 183423C.D.); and,

- (ii) That the Real Estate Division be authorized and directed to sell these properties in accordance with the Real Property Sales Procedural By-law; and,
- (b)
 - (i) That the City transfer to the Regional Municipality of Hamilton-Wentworth the vacant parcels of land being part of the former Garnet Avenue and the former MaClanders Street road allowances, more specially Part 18, Plan 62R-11788, containing an area of .184 hectares (0.45 acres) more or less, and part of the former Limeridge Road West road allowance, more specifically Parts 2 and 3, Plan 62R-11800 (Part 2, being subject to Easements in Instrument Nos 191966C.D. and 183423C.D.), containing an area of 0.38 hectares (0.938 acres) more or less, and the funds derived from this transfer of \$2 be credited to Account No. CH 4X999 00102 (Reserve for Property Purchases - Other Revenue); and,
 - (ii) That the Commissioner of Transportation be directed to prepare a By-law to sell the portions of Garnet Avenue and MaClanders Street, being Part 18, Plan 62R-11788 and Limeridge Road West, being Parts 2 and 3, Plan 62R-11800; and,
 - (iii) That the City Solicitor be authorized and directed to prepare the necessary transfer documents; and,
 - (iv) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed by Section 193 of the Municipal Act incorporating the following:
 - (1) Satisfactory notice has been given to the public of the intended sale; and,
 - (2) No appraisal of fair market value of the real property intended to be sold as road allowances are exempt from the appraisal requirement of Section 193 of the Municipal Act.
- 23. That the monument commemorating the Bi-centennial of Irish Immigration be installed on the west side of City Hall grounds, at the grassed area immediately south of the Ontario Professional Engineers Time Capsule.
- 24. (a) That the Director of Culture and Recreation and the Commissioner of Public Works and Traffic be authorized to develop a Grounds Use Policy to guide decision-making relative to the placement of commemorative plaques and for use of the grounds for community events; and,

- (b) That a team consisting of representatives from the Culture and Recreation; Public Works and Traffic; City Clerks and Building Departments convene under the Chairmanship of the Director of Culture and Recreation to develop comprehensive plans for the retrofit of the City Hall Building and Grounds, Summers Lane and Commonwealth Square in consultation with HECFI and the Art Gallery of Hamilton for inclusion as capital projects for consideration during the preparation of the 1998-2007 Capital Plan.
- 25.
 - (a) That funds in the amount of \$20,100 be granted to the Hamilton-Wentworth Branch of the St. John Ambulance to assist with offsetting the impact of a loss of base funding support from the United Way of Burlington-Hamilton and in recognition of the outstanding public service provided by this community agency; and,
 - (b) That this expenditure be financed as an approved overdraft of the budget of the Department of Culture and Recreation; and,
 - (c) That consideration be given to this matter as an expansion package in the preparation of the 1998 Current Budget; and,
 - (d) That the area municipalities of the Region of Hamilton-Wentworth and the City of Burlington be encouraged to support St. John Ambulance in a commensurate fashion.
- 26.
 - (a) That the proceeds from the sale of two carparks at 16 McGill Street and 1453 Main Street East in the amount of \$83,500 be credited back to the Reserve for Offstreet Parking Account from the City Reserve for Property Purchases Account; and,
 - (b) That the existing Council policy which dictates that the source of funds used to purchase City property be subsequently credited with the proceeds from any sale be reviewed by the next term of Council.
- 27. That the replacement of 59 vehicles in the 1997 Vehicle Replacement Program be upgraded to include an additional 4 units, at an estimated cost \$120,000, be funded from the Reserve for Replacement of Mobile Equipment, Account Centre No. CH 00101, not to exceed the \$2.4 million 1997-2006 approved Capital Budget Program.
- 28.
 - (a) That the Terms of Engagement with the City's Claims Adjusters, Crawford-THG, be extended from 1997 September 28 to 1998 September 28 with a \$1 increase in the hourly rate; and,

- (b) That the Commissioner of Public Works and Traffic and the City Solicitor be authorized to initiate a Request for Proposal for claims adjusting services.
- 29.
- (a) That approval be given for a City contribution in the amount of \$1,500 to the Bay Area Restoration Council to assist in the cleaning up of the harbour watershed; and,
 - (b) That the request for similar funding for 1998, be referred to the next term of Council for consideration; and,
 - (c) That funding for the 1997 expenditure be financed from Centre CH24201 - Unclassified.
30. That Mark S. Davies be appointed as the Hamilton Board of Education representative on the Hamilton Public Library Board.
- 31.
- (a) That the City support the 1998 Bank of Montreal Canadian Figure Skating Championships being held in Hamilton by contributing to the City banner program in the amount of \$3,000 and supporting a Volunteer Kick Off Party at an amount of \$7,000; and,
 - (b) That funding for this expenditure be financed from the Reserve for Hosting of Conferences with Municipal Subject Content CH00126.
- 32.
- (a) That the City provide assistance to the Hamilton Branch 58 Royal Canadian Legion in the amount of \$250 to aid them with the extra expenses which occurred for the Valley Field, Quebec visit; and,
 - (b) That funding for this expenditure be financed by an approved overdraft of the Grants Centre CH200XX.
33. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) D-52 A By-law to establish reduced voting hours for institutions
 - (b) D-53 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
 - (c) D-54 A By-law to authorize a question concerning a Model Tobacco By-law

- (d) D-55 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

34. That a grant be approved in the amount of \$717.62 to Second Stage Housing which provides housing accommodation to battered women, this amount representing the total surplus remaining in Alderman Ross's 1994 Aldermanic Campaign which was deposited with the City Treasurer pursuant to the Municipal Elections Act and which cannot be returned to Alderman Ross as he is not seeking re-election. **ADDED.**

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 September 23**

The City of Hamilton
Treasury

Internal Financing Through Reserve
Pay-on-Foot Parking Authority Capital Projects
From the Reserve for Debt Charges, A/c Centre No. CH 00108
The rate based on 5 year Canada Bond Rate as at September 16, 1997
Amortized Over Five Years @ The Rate Of 5.53%

Date (1)	Total Payment (2)	Principal (3)	Interest (4)	Interest Rate (5)	Balance Outstanding (6)
Pay-On-Foot					
Eatons Centre and Convention Centre Parkade					
1997					
24-Sep-97					650,364.00
31-Dec-97	150,000.00	140,343.61	9,656.39	5.53%	510,020.39
31-Dec-98	150,000.00	121,795.87	28,204.13	5.53%	388,224.52
31-Dec-99	150,000.00	128,531.18	21,468.82	5.53%	259,693.34
31-Dec-2000	150,000.00	135,599.61	14,400.39	5.53%	124,093.73
31-Dec-2001	130,956.11	124,093.73	6,862.38	5.53%	0.00
31-Dec-2002	0.00	0.00	0.00	5.53%	0.00
	<u>730,956.11</u>	<u>650,364.00</u>	<u>80,592.11</u>		

CAY ON HBL AOS

M21

1997

1997 October 14

Minutes of Hamilton City Council
Tuesday, 1997 October 14
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

NOV 4 1997

The Council met:

GOVERNMENT DOCUMENTS

Present: Acting Mayor Jackson.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Collins, Charters, Merling, Anderson, D'Amico, Ross.

Absent: Mayor R. M. Morrow - civic business
Alderman F. Eisenberger - civic business

Acting Mayor Jackson called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Rev. Father David Wilhelm, Cathedral Christ the King Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1997 September 30 were adopted as circulated.

PRESENTATION

Donald Shaw presented pictures of Hamilton's peregrin falcons. Mr. Shaw spoke to Council about a family of rare peregrin falcons that have made their home in Hamilton since 1995. He outlined the events which have taken place since that time and spoke with great enthusiasm about the nesting, and the resulting lowering of pigeons and seagulls in the downtown. Mr. Shaw, a freelance photographer, then made a presentation of a number of photographs of the falcons to Acting Mayor Jackson.

CORRESPONDENCE

1. Letter dated 1997 September 14 from Mrs. Betty Bechtel re Conflict of Interest.

Referred to the Planning and Development Committee.

2. Application dated 1997 October 9 from Rosland Properties Inc. 226 South Service Rd. E., Oakville, Ontario, for removal of the 'H' Holding Provision for lands located at 1468-1530 Upper James Street, Hamilton, Ontario.

Referred to the Planning and Development Committee.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Committee of the Whole be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Merling, Anderson, D'Amico, Ross. -15

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - ELEVENTH REPORT

Section 26 - Environmental Assessment Staff Advisory Committee be established

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 26 of the Eleventh Report of the Transport and Environment Committee for 1997 be amended by adding the following as Sub-Section (d):

- "(d) That the Chief Administrative Officer be directed to establish an Environmental Assessment Staff Advisory Committee with representation from the Fire Department, Planning Department, Public Works and Traffic Department, Building Department, Police Department, Law Department and the Regional Environment Department, to meet on a regular basis with a mandate of undertaking a multidisciplinary review of environmental matters and to report through the Director of Planning and Development to the Transport and Environment Committee."

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - FIFTEENTH REPORT

Section 12 (f) and (g) Re: Bill C-71 and Bill C-72

It was moved by Alderman Drury and seconded by Alderman D'Amico that the following Bills be added to the Fifteenth Report for 1997 of the Planning and Development Committee as sub-section (f)(g) of Section 12 as follows:

- (f) C-71 A By-law to remove land within the "Sandrina Gardens, Phase 2" Subdivision, Plan 62M-780 from Part Lot Control
- (g) C-72 A By-law to amend Zoning By-law No. 6593 respecting lands located west of Upper Wellington Street and north of Rymal Road East. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - TWENTY FIRST REPORT

Section 11 Re: J&H Marsh & McLennan, Limited appointed as City's Insurance Brokers of Record

It was moved by Alderman Anderson and seconded by Alderman D'Amico that Section 11 of the Twenty-First Report of the Finance and Administration Committee be referred back.

CARRIED.

COMMITTEE OF THE WHOLE - THIRTEENTH REPORT

Section 1 Re: Hamilton Harbour Commissioners

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Collins, Charters, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Wilson, Merling. -2. **CARRIED.**

NOTICE OF MOTION FROM PREVIOUS MEETING

Re: Plastimet Fire
Motion put July 17, 1997
August 26, 1997 - postponed
September 30, 1997 - postponed

It was moved by Alderman Kiss and seconded by Alderman Caplan:

That Regional Council be requested to direct the Medical Officer of Health to initiate immediate health assessments of affected residents in the area of the Plastimet Fire and that further assessments of these residents continue for a period of several years to determine the long term health affects of contaminants from the fire. **CARRIED.**

NOTICE OF MOTION FROM PREVIOUS MEETING

Re: Quebec Separation
Motion approved September 30, 1997 (pages 853/854)

It was moved by Alderman Ross and seconded by Alderman D'Amico:

That the Notice of Motion moved by Alderman Ross and seconded by Alderman D'Amico and approved by City Council at its meeting held Tuesday, 1997 September 30th respecting Quebec Separation be amended by deleting the last paragraph of the motion concerning the distribution of the motion and inserting in lieu thereof the following:

THAT copies of this resolution be forwarded to the Prime Minister of Canada, the local M.P.P.'s, the local M.P.'s, the Federation of Canadian Municipalities, the Association of Municipalities of Ontario, the Premier of Quebec and Anthony Housefather, Executive Member, Quebec Committee for Canada. **CARRIED.**

Motion as amended:

WHEREAS the population of the Province of Quebec voted against separating from Canada, both in 1980 and in 1995; and

WHEREAS the current government of Quebec has repeatedly reiterated its desire to hold yet another referendum on Quebec separation; and

WHEREAS there are many loyal Canadians in Quebec who, via resolutions of their local city councils, have declared that it is their wish to remain part of Canada, irrespective of any future referendum result; and

WHEREAS those city councils have requested the support of Canadians outside Quebec in their effort to remain Canadian.

Be it resolved **THAT** the City of Hamilton supports the initiative of those municipalities in Quebec who have declared their intention to remain part of Canada irrespective of any future province wide vote for separation.

THAT the City of Hamilton demands that the government of Canada and the government of Québec clearly and unequivocally state that they support the right of federalist municipalities and regions within Quebec to remain part of Canada, today and in the future, in accordance with the legal, moral, political, constitutional, and territorial obligations of our nation.

THAT copies of this resolution be forwarded to the Prime Minister of Canada, the local M.P.P.'s, the local M.P.'s, the Federation of Canadian Municipalities, the Association of Municipalities of Ontario, the Premier of Quebec and Anthony Housefather, Executive Member, Quebec Committee for Canada.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, the Committee of the Whole and resolutions be adopted.

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, Agro, McCulloch, Drury,
Morelli, Copps, Wilson, Collins, Charters, Merling, Anderson, D'Amico, Ross. -
15

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:00 o'clock p.m.

* * * * *

Taken as read and approved.

ACTING MAYOR T. JACKSON

J. J. Schatz
1997 October 14
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **ELEVENTH** Report for 1997 and respectfully recommends:

1. (a) That the Commissioner of Transportation be directed to prepare a By-law to stop-up, close and sell the public walkway located between Nos. 37 and 41 Glenvale Avenue; and,

 (b) That the applicant prepare and register a reference plan under the Registry Act; said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and that it delineate the manner in which the proposed closed portion is to be distributed to the abutting owners and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor; and,

 (c) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 44 of the Regional Municipality Act; and,

 (d) That the Manager of Real Estate Division City Clerk's Department be authorized to proceed with the disposition of the subject lands to the abutting owners; and,

 (e) That the City Clerk be directed to publish a notice pursuant to Section 300 of The Municipal Act, R.S.O. 1990, of the City's intention to pass the By-law.
2. That the existing "Permit Parking" regulation on the east side of Catharine Street North commencing at a point 166 feet north of Macauley Street East and extending to a point 27 feet northerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
3. That the existing "No Stopping, Wheelchair Loading Zone, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the east side of Kinrade Avenue commencing at a point 157 feet south of Barton Street East and extending to a point 30 feet southerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

4. (a) That a "Permit Parking" regulation be implemented on the south side of Francis Street commencing at a point 197 feet east of Douglas Street and extending to a point 21 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Luigi Matteliano, No. 62 Francis Street.
5. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of West 33rd Street between Angela Avenue and Leslie Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.
6. That the existing "No Stopping, Wheelchair Loading Zone, 8:00 a.m. to 8:00 p.m., Monday to Friday" regulation on the east side of Bayfield Avenue commencing at a point 273 feet north of McAnulty Boulevard and extending to a point 24 feet easterly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
7. (a) That a "Permit Parking" regulation be implemented on the north side of Clinton Street commencing at a point 101 feet west of the extended west curb line of Ruth Street and extending to a point 19 feet westerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Belinda Quinn, No. 25 Clinton Street.
8. That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Brucedale Avenue East commencing at a point 139 feet east of Upper James Street and extending to a point 387 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
9. That a full-time "Wheelchair Loading Zone" regulation be implemented on the south side of Francis Street commencing at a point 40 feet east of Cheever Street and extending to a point 13 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
10. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of West Park Avenue between Sanders Boulevard and the northerly end, and that the City Traffic By-law No. 89-72 be amended accordingly.

11. That the Commissioner of Public Works and Traffic be authorized to issue, upon request, 27 Time Limit Exemption Permits to each of the first 27 eligible applicants residing in the apartment building at No. 264 Main Street West.
12.
 - (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Cranbrook Drive commencing at a point 152 feet south of the south curb line of Greendale Drive and extending 40 feet southerly be relocated to a point 73 feet south of the south curb line of Greendale Drive and extending 40 feet southerly therefrom; and,
 - (b) That a "Wheelchair Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of Cranbrook Drive commencing at a point 113 feet south of the south curb line of Greendale Drive and extending 80 feet southerly therefrom; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
13.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Carrick Avenue commencing at a point 210 feet south of Dunsmure Road and extending to a point 16 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Margaret McAusland, No. 99 Carrick Avenue.
14. That a "No Parking" regulation be implemented on the north side of Bonaventure Drive between Clifton Downs (east leg) and Clifton Downs (west leg), and that the City Traffic By-law No. 89-72 be amended accordingly.
15. That southbound traffic on Corinna Court be required to stop for eastbound and westbound traffic on Emperor Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.
16. That four-way stop control be implemented at the intersection of Graham Avenue South and Central Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.
17. That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Queensdale Avenue East commencing at a point 65 feet east of East 8th Street and extending 126 feet easterly, and that the City Traffic By-law No. 89-72 be amended accordingly.

18. That, in accordance with subsection 144(31) of the Highway Traffic Act of the Province of Ontario, the Commissioner of Public Works and Traffic, or his designate, be designated to approve traffic signal design drawings on behalf of the City of Hamilton, and that the City Traffic By-law No. 89-72 be amended accordingly.
19. That the applications to retain inadvertent encroachments at the locations as outlined on Appendix "A", attached hereto, be approved, provided:
 - (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees as outlined in Appendix "A" be set for the encroachments.
20. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated costs of services in

"Silvana Gardens", Hamilton

City's Share - NIL -, Owner's Share \$ 234,750.97

"Wisemount Estates - Phase 9, Hamilton

City's Share - NIL -, Owner's Share \$ 198,906.66

Tiffany - Phase 1", Hamilton

City's Share - \$ 26,028.00, Owner's Share - \$ 1,029,247.00

"Timothy Survey - Phase 1", Hamilton

City's Share - \$ 16,483.00, Owner's - \$ 416,010.00

"Aterno Gardens", Hamilton

City's Share - Nil, Owner's Share - \$ 415,769.12

"Wellington Meadows - Phase 1", Hamilton

City's Share - Nil, Owner's Share - \$ 79,185.29; and,

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Silvana Gardens", "Wisemount Estates - Phase 9", Hamilton, "Tiffany - Phase 1", "Timothy Survey - Phase 1", "Aterno Gardens" and "Wellington Meadows - Phase 1" as well as and any other related documents for these Subdivisions subject to the approval of the City Solicitor; and,
 - (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,
 - (d) In the event that the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered, the Owners should be allowed to do so at their own risk provided that the Owners enter into a standard agreement with the City of Hamilton for pre-servicing; and,
 - (e) That the City's share of servicing in "Tiffany - Phase 1" and "Timothy Survey - Phase 1" subdivisions at an estimated cost of \$26,028 and \$16,483 respectively, be financed from the Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands.
21. (a) That staff be authorized and directed to continue developing the Pathway Barrier Free Design Standards as a Working Document based on the Introductory Pages provided herein; and,
- (b) That staff be authorized and directed to review and amend the "Barrier Free Design Standards" document, approved by City Council on 1994 October 4, to include the necessary modifications recommended as a result of the application of the standards.
22. That the Commissioner of Public Works and Traffic be authorized to initiate a six month trial project, in conjunction with the Hamilton-Wentworth Regional Police, whereby Parking Control Staff provide enforcement of by-law regulations other than Parking and Stopping, under the direction of a Regional Police Officer.
23. That four-way stop control be implemented at the intersection of Rosslyn Avenue North and Roxborough Avenue; and that the City Traffic By-law No. 89-72 be amended accordingly.

24. That three-way stop control be implemented on Lisajane Court and Juliebeth Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.
25.
 - (a)
 - (i) That Part 3, Plan 62R-11994 be declared surplus to the requirements of the City of Hamilton in accordance with the Real Property Sales Procedural By-law No. 95-049; and,
 - (ii) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law; and,
 - (b)
 - (i) That an Offer to Purchase a portion of Part 3, Plan 62R-11994 for the price of \$14,923.91, executed by R.C. Richardson and C.P. Richardson dated 1997 September 23, be accepted. The said vacant land has a frontage on Harbottle Court of 18.03 metres (60.04 feet) more or less, and a depth of 2.85 metres (9.35 feet) more or less, comprising a total area of 52 square metres (559.74 square feet) more or less, being Part 2 on Plan 62R-14203, said transaction scheduled to close on 1997 November 6. Funds derived from this sale be credited to Account Centre CH00102 (Reserve for Property Purchases); and,
 - (ii) That the required deposit cheque in the amount of \$1,500 be held by the City Treasurer pending Council approval; and,
 - (iii) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (1) satisfactory notice has been given to the public of the intended sale; and,
 - (2) no appraisal of the fair market value of the real property intended to be sold was obtained as Reserves are exempt from the appraisal requirements of Section 193 of the Municipal Act.
26. (a) That the Director of Planning and Development assume responsibility for circulation and co-ordination of City Departmental comments on proposed and/or amended Certificates of Approval located within the City of Hamilton, as forwarded by the Ontario Ministry of Environment and Energy; and,

- (b) That the information comments obtained from City Departments address the following matters:
 - (i) Official Plan
 - (ii) Zoning By-law
 - (iii) Traffic
 - (iv) Noise
 - (v) Fire
 - (vi) Input from the Public at Public Meetings; and,
- (c) That the Director of Planning and Development author the Recommendation Report consolidating the responses from City Departments, other municipal Departments and external agencies to the Transport and Environment Committee.
- (d) That the Chief Administrative Officer be directed to establish an Environmental Assessment Staff Advisory Committee with representation from the Fire Department, Planning Department, Public Works and Traffic Department, Building Department, Police Department, Law Department and the Regional Environment Department, to meet on a regular basis with a mandate of undertaking a multidisciplinary review of environmental matters and to report through the Director of Planning and Development to the Transport and Environment Committee. **ADDED.**

27. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-72 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
- (b) A-73 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson
Secretary
1997 October 6th

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Appendix "A" as referred to in
Section 19 of the Eleventh Report
of the Transport and Environment
Committee for 1997

<u>Location</u>	<u>Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/ Annual Fee</u>
MacNab St. N.	416 MacNab St. N.	B. Prevost	Portion of Front Porch measuring 0.90m x 4.50m Steps measuring 1.10m x 1.10m	\$184/20
King William St.	29 Emerald St. N	J. and M. Houston	portion of building measuring 0.304m x 12.385m	\$184/20
Burlington St. W.	56 Burlington St. W.	A. MacLean	a portion of a front veranda and stairs measuring 1.200m x 2.900m	\$184/20
Erie Ave.	149 Erie Avenue	I. Perez A. Perez Gapuz	a portion of the front steps measuring 0.300m x 1.800m	\$184/20

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTEENTH** Report for 1997 and respectfully recommends:

1. That Zoning Application ZAC-97-27, Barriview Developments Limited, owner, for an Official Plan Amendment and for a further modification in zoning to the established "HH" (Restricted Community Shopping and Commercial, etc.) District regulations for lands located at 880 Upper Wentworth Street, as shown on the attached map marked as Appendix "A", be denied on the following basis:
 - (i) The application conflicts with the general intent of the Official Plan;
 - (ii) The application conflicts with the approved Bruleville Neighbourhood; and,
 - (iii) The proposed restaurant would not be compatible with the abutting residential uses.
2. (a) That approval be given to Application DE-97-001, under the Rental Housing Protection Act, 1190771 Ontario Inc., owner, for the demolition of an 8-unit rental apartment building located at 11 Emerald Street South, subject to the following conditions:
 - (i) That the Owner provide the City Solicitor with satisfactory evidence that any and all mortgagees of the property consent to the RHPA application; and,
 - (ii) That the Owner provide the City Solicitor with satisfactory evidence that there are no outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval.
- (b) That upon satisfaction of the above-noted conditions, the City Solicitor be authorized to request that the City Clerk execute the RHPA Certificate of Approval.

3. (a) That approval be given to amended Subdivision Application SAR-97-05, 839891 Ontario Inc. (A. DiSilvestro, President), owner, for 76 lots for single detached dwellings, 5 blocks to be developed in conjunction with the adjacent lands, 1 block for parkland and to construct 3 streets subject to the following conditions:
- (i) That this approval apply to the plan, as revised in red, prepared by Urbex Engineering Ltd. and certified by J.P. Wooley, O.L.S., dated June 23, 1997, showing 76 lots for single detached dwellings, 5 blocks to be developed in conjunction with the adjacent lands, 1 block for parkland and to construct 3 streets, attached as Appendix "B".
 - (ii) That the Streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - (iii) That the owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan.
 - (iv) That the final plan conform with the Zoning By-law approved under the Planning Act.
 - (v) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and the gross area of the subdivision in the final plan.
 - (vi) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton.
 - (vii) That a 2m by 2m daylight triangle be shown on the final plan of subdivision for road purposes on Lot 65.
 - (viii) That the east-west portion of Jacqueline Boulevard must align centreline-to-centreline with Jacqueline Boulevard in "Allison Estates - Phase 3".
 - (ix) That the north-south portion of Jacqueline Boulevard must align centreline-to-centreline with Jacqueline Boulevard in "Allison Estates - Phase 4".
 - (x) That Meadowpoint Drive must align centreline-to-centreline with Serena Drive in "Allison Estates - Phase 3".
 - (xi) That Magenta Court must align centreline-to-centreline with Magenta Court in "Allison Estates - Phase 3".

- (xii) That 15m radius transitions be provided into and out of the bulb adjacent to Lots 7 and 14 (inclusive) on Jacqueline Boulevard.
- (xiii) That no portion of the plan be developed until a second public street access is established, constructed and connected over Kirkfield Road to Spingside Drive.
- (xiv) That the development phasing of this subdivision be to the satisfaction of the Regional Environment Department and the City of Hamilton Department of Public Works and Traffic.
- (xv) That the owner terminate any open side of the road allowance or deadends in 0.30 metre reserves.
- (xvi) That Blocks 78, 79, 80, 81 and 82 be developed in conjunction with Registered Blocks 18, 19, 20, 21 and 22, Registered Plan 62M-823 ("Allison Estates - Phase 4") respectively.
- (xvii) That Block 77 be dedicated to the City of Hamilton by deed for park purposes.
- (xviii) That prior to the conveyance of Block 77 for park purposes, the block will have been remediated with respect to soil contaminates and any archaeological remains will have been removed to the satisfaction of the appropriate Provincial Ministry, the Commissioner of Environment and the Manager of Parks, Parks Division, Department of Public Works and Traffic.
- (xix) That Block 77 be graded and planted to the satisfaction of the Commissioner of Environment and the Manager of Parks, Parks Division, Department of Public Works and Traffic.
- (xx) That the owner prepare and implement an erosion and sediment control plan for the subject property to the satisfaction of the Hamilton Region Conservation Authority and the Manager of Development, Development Engineering Section, Regional Environment Department. The approved plan will include the following:
 - (1) All erosion and sediment control measures shall be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated;

- (2) All erosion and sediment control measures shall be inspected after each rainfall and maintained to the satisfaction of Authority staff;
 - (3) Any disturbed area not scheduled for further construction within 45 days shall be provided with a suitable mulch and seed cover within 7 days of the completion of that particular phase of construction;
 - (4) All disturbed areas shall be revegetated with permanent cover immediately following completion of construction.
-
- (xxi) That the owner prepare and implement a stormwater management plan for the subject property to the satisfaction of the Hamilton Region Conservation Authority and the Manager of Development, Development Engineering Section, Regional Environment Department. This plan shall address water quality and quantity issues and will ensure that post development flows will equal pre-development levels and that current provincial drainage and stormwater quality and quantity guidelines are implemented.
 - (xxii) That the owner provide temporary turn arounds at the westerly limits of Meadowpoint Drive and Jacqueline Boulevard to the satisfaction of the Manager, Traffic Planning, Department of Public Works and Traffic.
 - (xxiii) The owner must enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands.
 - (xxiv) That the Owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of the subject lands.
-
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-97012), 839891 Ontario Inc., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
 - (c) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision; and,

- (d) That approval be given to Zoning Application ZAC-97-29, 839891 Ontario Inc. (A. DiSilvestro), owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family) District to permit small lot single family dwellings (minimum lot width of 10 m), for lands located south of Rymal Road West, north of the City of Hamilton/Township of Glanbrook municipal boundary, west of Upper Wellington Street and east of Springside Drive, as shown on the attached map marked as Appendix "C", on the following basis:
- (i) That Block "1" be rezoned from "C" (Urban Protected Residential, etc) District to "R-4" (Small Lot Single Family) District;
 - (ii) That the Director of Planning and Development be authorized to prepare a By-law to the satisfaction of the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9E for presentation to City Council;
 - (iii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
4. That CityView, attached hereto, and marked Appendix "D", be endorsed as the guiding direction and policy framework for the development of Hamilton's new Official Plan.
5. That the City Solicitor be authorized and directed to amend By-Law 84-35 as follows:-
- (a) That Section 1 of By-law 84-35 be amended by adding the following definitions:
 - (i) "buffer strip" means a minimum 1.0m (3.28') wide border that surrounds a wildflower, meadow, or naturalized area on an occupied residential property.
- Without restricting the generality of the foregoing, such a border may include:
- 1. turf grass
 - 2. non-organic ground cover
 - 3. organic ground cover, ie. hedges, etc., to a maximum height of 60cm (24"); and,

- (ii) "turf grass" means a regularly maintained area to a maximum height of 20cm (8") consisting of a desirable turf grass species such as blue grass, fescue, and perennial ryes; and,
- (b) That Subsection (4) of Section 2 be amended to include the following:

...in height" in defined turf grass areas. Wildflower, meadow and naturalized areas are permitted provided they do not encroach within a 1.0m (3.28') buffer strip of the lot line and that the areas are managed under the Weed Control Act (R.R.O. 1990).
- 6.
 - (a) That approval be given to Official Plan Amendment No. 141 to redesignate the proposed neighbourhood park at the easterly portion of the Carpenter Neighbourhood adjacent to the future school sites from "Open Space" to "Residential" and to redesignate a 1.04 hectare parcel of land abutting the westerly park site from "Residential" to "Open Space", as shown on Appendix "E" and that the City Solicitor be directed to prepare the By-law of Adoption for submission to the Regional Municipality of Hamilton-Wentworth.
 - (b) That approval be given to Subdivision Application 97-04 (Regional File No. 25T-97009), DiCenzo Construction Company Ltd. and Vedemo Construction Ltd., owners, to establish a draft plan of subdivision "Paradise Meadows", on lands located south of Rymal Road West, north of the City of Hamilton/Township of Glanbrook municipal boundary, west of the future extension of Garth Street and east of Upper Paradise Road, in the Carpenter Neighbourhood, as shown on the attached map marked as Appendix "F" subject to the following conditions:
 - (i) That this approval apply to the plan, as revised in red, prepared by Planning and Engineering Initiatives Ltd. and certified by W. M. Fenton, O.L.S. of W. M. Fenton Limited, dated June 9, 1997, showing 244 lots for single detached dwellings, 14 blocks for street townhouse units, 2 blocks for condominium townhouse units, 1 block for parkland, and 10 streets, attached as Appendix "G".
 - (ii) That the Streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - (iii) That the owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan.

- (iv) That the owner apply for and receive final approval for changes in zoning from the established "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, "R-4" (Small Lot Single Family) District and "RT-20" (Townhouse - Maisonette) District prior to the registration of any phase of development.
- (v) That the final plan conform with the Zoning By-law approved under the Planning Act.
- (vi) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and the gross area of the subdivision in the final plan.
- (vii) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton.
- (viii) That Blocks 261 and 262 be developed in conjunction with the adjacent lands.
- (ix) That Blocks 245 and 260 not be registered until such time as the applicant has acquired the abutting lands located adjacent to the future extension of Garth Street and that Blocks 245 and 260 be developed in conjunction with the abutting lands.
- (x) That the Owner agree to include the following clauses in a registered portion of the subdivision agreement, be registered on title of all lots within the plan of subdivision and that the owner ensure that warning clauses are included on all offers of purchase and sale and reservation agreements to the satisfaction of the Director of Planning and Development and City Solicitor:

"Purchasers are advised that access to the future school will be provided from Street 'G'"
- (xi) That if the development of this subdivision is to proceed in phases then the Owner must provide a staging plan to the satisfaction of the Manager, Traffic Planning, Department of Public Works and Traffic and the Manager, Development Engineering Section, Regional Environment Department.

- (xii) That any dead end streets resulting from the staging of development include the provision of temporary turnarounds to the satisfaction of the Manager of Traffic Planning, Department of Public Works and Traffic.
- (xiii) That if the development of Blocks 259 and 260 occur prior to the establishment and construction of the future south extension of Garth Street, then the Owner shall provide a temporary turnaround at the easterly limits of Street "B" to the satisfaction of the Manager of Traffic Planning, Department of Public Works and Traffic.
- (xiv) That during the first phase of development of this draft plan of subdivision, a street connection to Highridge South plan of subdivision must be established and constructed either through the Eagle Glen Way Ext. to the west or through the extension and construction of Upper Paradise Road and Street A.
- (xv) That all streets, other than the cul-de-sacs noted, be established to a width of minimum road allowance width of 20m.
- (xvi) That the Owner be required to provide 1m by 1m daylight triangle road widenings at the intersection of all 18m and 20 metre road allowances.
- (xvii) That Street G be established at 20m instead of 18m.
- (xviii) That the Owner be required to provide minimum 10m radius transitions into and out of the cul-de-sac bulbs on streets established at an 18m road allowance width.
- (xix) That the Upper Paradise Road Extension must align centreline to centreline with Upper Paradise Road in Highridge South plan of subdivision.
- (xx) That the centreline radius of Street A, from the north end of the subdivision southerly to Street J be increased to approximately 400m.
- (xxi) That the roadway configuration at the south end of the subdivision be revised in accordance with the approved Carpenter Neighbourhood Plan, as shown on Appendix "H" to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department and the Director, Planning and Development Department.

- (xxii) That Street B must be established to a 26m road allowance width from the extension of Garth Street to a point approximately 90 metres westerly and that the road widenings to establish the 26m road allowance be established equally on each side of the street.
- (xxiii) That 12m by 12m daylight triangles be established at the widened intersection limits of Street B and Garth Street. The extension of Street B to Garth Street will require the acquisition of the strip of land not owned by the City or the applicant.
- (xxiv) That all lands south of the Public School Board lands and east of Street I not be developed until such time as the alignment of Garth Street through the Hydro Corridor to the Township of Glanbrook be approved to the satisfaction of the Township of Glanbrook, Ontario Hydro, the City of Hamilton Department of Public Works of Traffic and the Region of Hamilton-Wentworth. Any lands within this draft plan of subdivision which may be required for the extension of Garth Street be must shown as a Block on the final plan for road widening purposes.
- (xxv) That the applicant/owner prepare curb radius drawings at the intersection of Street I and J to the satisfaction of the Region prior to the final approval of the cul-de-sac on Street J.
- (xxvi) That the street line adjacent Lots 223, 224, 225 and 226 be realigned to provide a straight transition into the cul-de-sac bulb.
- (xxvii) That prior to development, the Owner prepare and implement an erosion and sediment control plan to the satisfaction of the City of Hamilton and Hamilton Region Conservation Authority and that said plan comply with the following requirements:
 - (1) All erosion and sediment control measures will be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated;
 - (2) That the Owner provide a summary inspection report every 14 days, prepared by a qualified professional engineer, outlining the status of all erosion and sediment control measures after each rainfall, including remedial measures taken, to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department;

- (3) Areas not scheduled for development within 45 days or over the winter months should be left with existing vegetation in place. If the area has been previously graded, all disturbed areas should be revegetated using seed and mulch;
 - (4) All disturbed areas will be revegetated with permanent cover immediately following completion of construction.
- (xxviii) That the applicant prepare and implement a stormwater management plan for the subject property to the satisfaction of the Hamilton Region Conservation Authority and the Manager, Development Engineering Section, Regional Environment Department. This plan shall address water quality and quantity issues and will ensure that post development flows will equal pre-development levels and that current provincial drainage and stormwater quality and quantity guidelines are implemented.
- (xxix) The owner must enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands.
- (xxx) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of these lands.
- (c) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-97009), DiCenzo Construction Company Ltd. and Vedemo Construction Ltd, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
- (d) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision; and,
- (e) That the approved Carpenter Neighbourhood Plan be amended, as shown on Appendix "H", to revise the local road pattern and park location as per the proposed draft plan of subdivision.

7. (a) That as per the Planning and Development Committee's recommendation of 1997 June 18, the following resolution be forwarded to Council:

That approval be given to amended Zoning Application 97-06, Fiore Manganiello, owner, requesting a change in zoning from "L-mr-2" (Planned Development - Multiple Residential) District to "DE-2" (Multiple Dwellings) District modified, to construct a four (4) storey 12 unit apartment building, for property located at Nos. 87, 89, 91, 93 and 95 Wellington Street North and No. 216 Wilson Street, as shown on the attached map marked as Appendix "I", on the following basis:

- (i) That the lands be rezoned from "L-mr-2" (Planned Development - Multiple Residential) District to "DE-2" (Multiple Dwellings) District;
- (ii) That the "DE-2" (Multiple Dwellings) District regulations, as contained in Section 10B of Zoning By-law No. 6593, applicable to subject lands, be modified to include the following variances as special provisions:
 - (a) That notwithstanding Section 10B (2)(ii), no building or structure shall exceed four (4) storeys and 16.5 m in height;
 - (b) That Section 10B (3)(i)(b), shall not apply to the subject lands;
 - (c) That notwithstanding Section 10B (3), the following yards shall be provided and maintained:-
 - (i) a side yard of a depth not less than 1.7 m shall be provided along the entire southerly boundary of the subject lands;
 - (ii) a rear yard of a depth not less than 3.0 m shall be provided along the entire westerly boundary of the subject lands;
 - (d) That notwithstanding Section 10B (5), a maximum gross floor area of 1,384.0 m² (14,900 S.F.) and twelve (12) units shall be permitted on the subject lands;
 - (e) That notwithstanding Section 18A (1), nine (9) parking spaces shall be provided and maintained on the subject lands;

- (f) That notwithstanding Section 18A (1)(c), one (1) loading space at 9.0 m x 3.0 m x 4.3 m shall be provided and maintained on the subject lands;
 - (g) That notwithstanding Section 18A (7), only one (1) parking spaces at 2.7 m x 5.7 m shall be provided and maintained on the subject lands;
 - (h) That notwithstanding Section 18A (11), the boundary of the parking area will be 1.35 m (4.5 feet) from the adjoining residential district boundary and 5.85 m (19.19 feet) from the northerly property line;
 - (i) That Section 18A (12)(c), shall not apply to the subject land;
 - (j) That Section 18A (32) & (33), shall not apply to the subject lands;
 - (iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1390, and the subject lands on Zoning District Map E-4 be notated S-1390; and,
 - (v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to City Council; and,
 - (vi) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
8. That Schedule "A" to Site Plan Control By-law No. 79-275, as amended by By-law No. 87-233, be further amended by adding the lands located at No. 787-791 Barton Street East, as shown on the attached Appendix "J", and that the Director of Planning and Development be directed to prepare a By-law, to amend By-law No. 79-275, for presentation to City Council.
9. That the City of Hamilton accept the sum of \$46,000 as a cash payment in lieu of the 5% land dedication in connection with "Silvana Gardens", Hamilton being the cash payment required under Section 51 of the Planning Act.

10. (a) That an Offer to Purchase 140 Nebo Road for the price of \$100,500, executed by 779391 Ontario Limited (Donald B. Cowie, President), dated 1997 September 15, be accepted. The said lands having a frontage on the westerly limit of Nebo Road of 61.03 metres (200.23 feet), by a depth of 132.07/134.69 metres (433.31/441.89 feet) and containing an area of 0.812 hectares (2.01 acres), being Lot 18, Plan M-227, Hamilton Mountain Industrial Park No. 1, said transaction scheduled to close on 1998 February 9. Funds derived from this sale less commission be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases (Sales)); and,
- (b) That this transaction includes special building covenants, agreements and restrictions, which are set out on the pages attached herewith and marked Appendix "K", which terms shall be included in the Committee's resolution to City Council; and,
- (c) That this Offer be conditional for thirty (30) days from date of acceptance for the sole benefit of the Purchaser to carry out his engineering and architectural plans for the erection of a new building to be constructed and for the Purchaser, in its sole discretion, to be satisfied with the results of such studies. The Purchaser shall have the right to conduct soil tests and to have access to the property to conduct all such tests and studies. Failing which this offer shall become null and void and the Purchaser's deposit to be refunded in full without deductions of any kind; and,
- (d) That upon successful completion of this sale, a real estate commission of 6% of the \$100,500 sale price, plus GST, be paid to Blair, Blanchard, Stapleton Limited (Sales representative Gary Stapleton), who acted in this matter; and,
- (e) That the required deposit cheque in the amount of \$5,000 be held by the City Treasurer pending Council approval; and,
- (f) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
- (i) satisfactory notice has been given to the public of the intended sale;
 - (ii) no appraisal of the fair market value of the real property being sold was obtained as the lands are exempt from the appraisal requirements of Section 193 of the Municipal Act.

11. That a Heritage Permit be approved for the following exterior alterations/addition to the building at 90 Markland Street (designated under Part V of the Ontario Heritage Act), as shown on the drawings of the north, east and west elevations dated 1997 September 19 attached hereto and marked as Appendix "L":

- (a) a one-storey addition to the rear of 90 Markland Street by raising the roof; and,
- (b) the addition of a dormer (east side), skylights (west side) and window (north side); and,
- (c) removal of chimney;

with the following conditions:

- (i) that the dormer be made of wood, modelled on the dormer at the front of the house; and,
- (ii) that unless closely matching stone can be found, it would be more appropriate that the addition be of board and batten.

12. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-66 A By-law to adopt Official Plan Amendment No. 141 respecting lands located south of Rymal Road West and east of Upper Paradise Road within the Carpenter Neighbourhood
- (b) C-67 A By-law to remove land within the "Allison Estates - Phase 4" Subdivision, Plan 62M-823 from Part Lot Control
- (c) C-68 A By-law to amend By-law No. 86-73 as amended by By-laws No. 92-058 and 97-105 respecting members of the Board of Management of the Downtown Hamilton Business Improvement Area
- (d) C-69 A By-law to amend Zoning By-law No. 6593 respecting land located at municipal No. 607 Queen Victoria Drive
- (e) C-70 A By-law to remove land within the "Eaglewood Manor" Subdivision, Plan 62M-622 from Part Lot Control
- (f) C-71 A By-law to remove land within the "Sandrina Gardens, Phase 2" Subdivision, Plan 62M-780 from Part Lot Control **ADDED.**

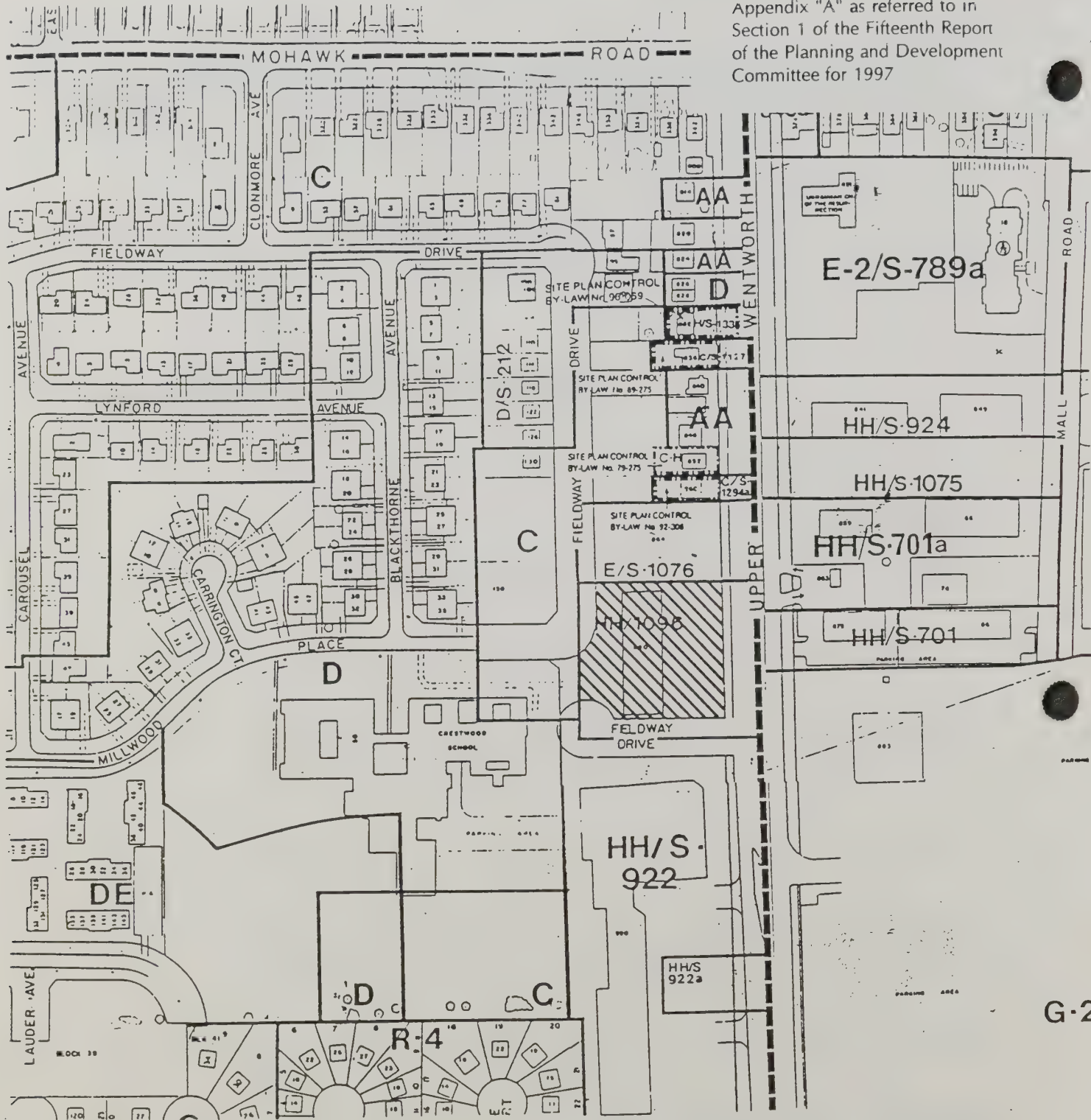
- (g) C-72 A By-law to amend Zoning By-law No. 6593 respecting lands located west of Upper Wellington Street and north of Rymal Road East.
ADDED.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

**Susan Reeder,
Acting Secretary
1997 October 8**

Appendix "A" as referred to in
Section 1 of the Fifteenth Report
of the Planning and Development
Committee for 1997

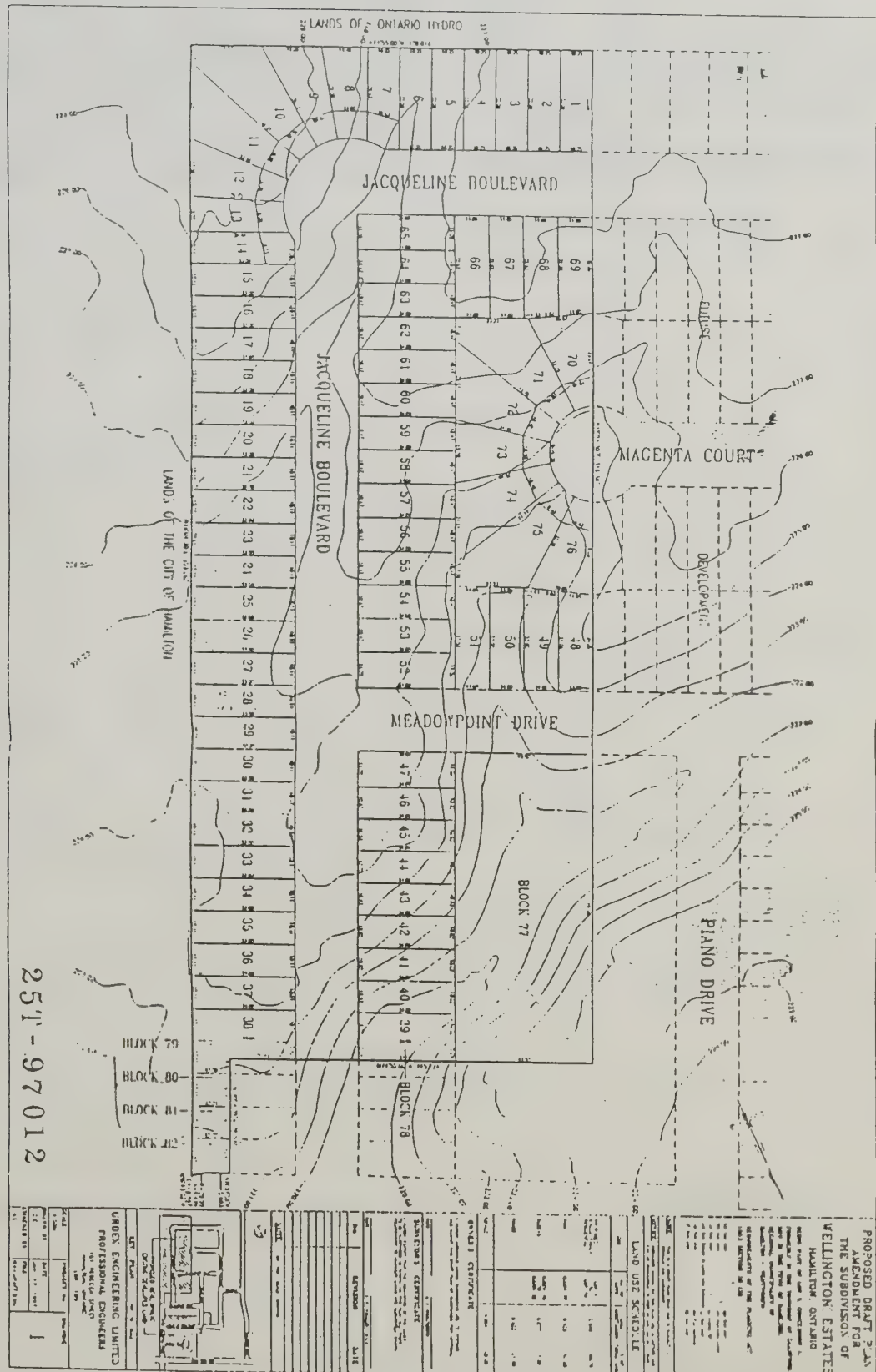


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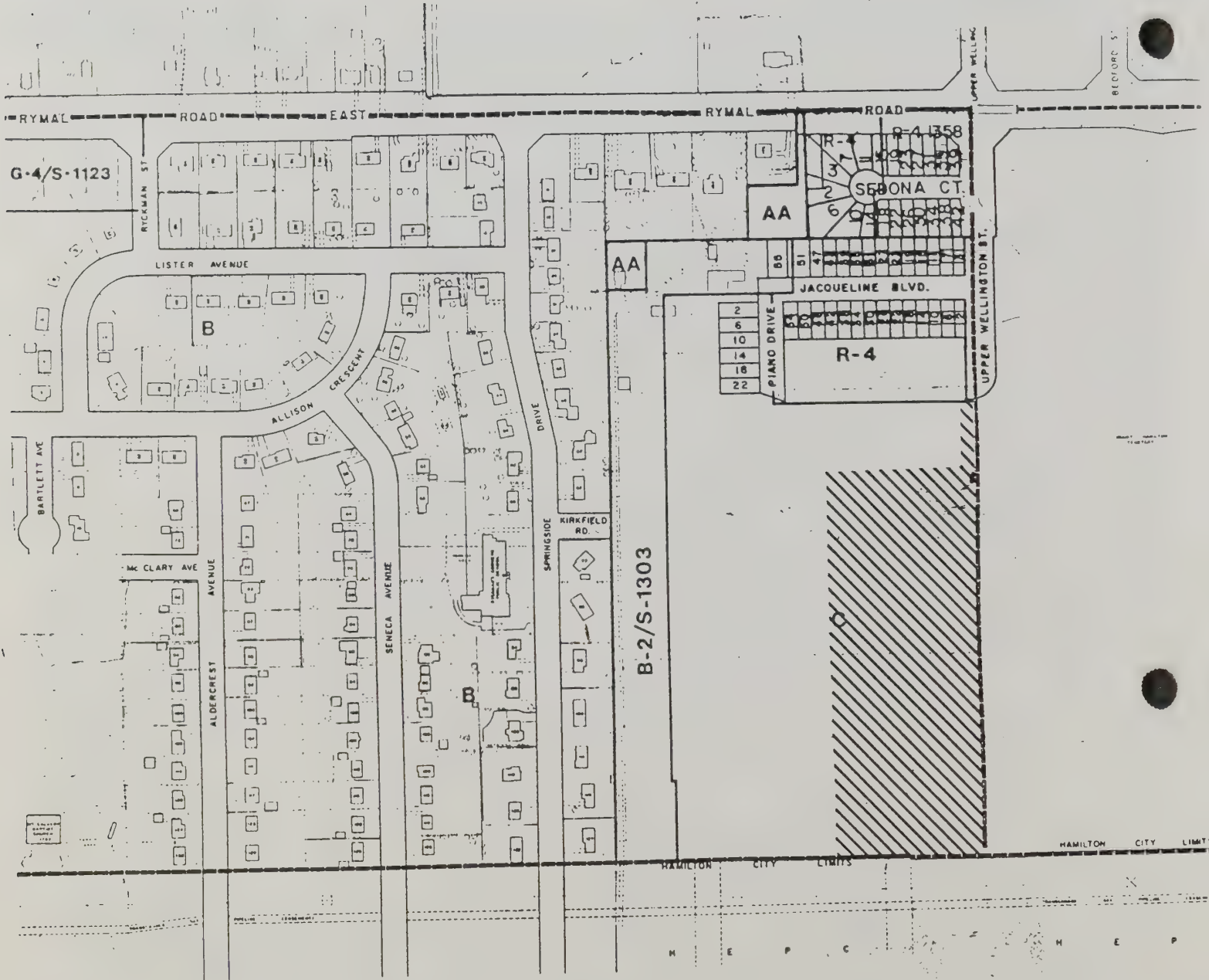


Site of the Application

Appendix "B" as referred to in
Section 3 of the Fifteenth Report
of the Planning and Development
Committee for 1997



APPENDIX "B"

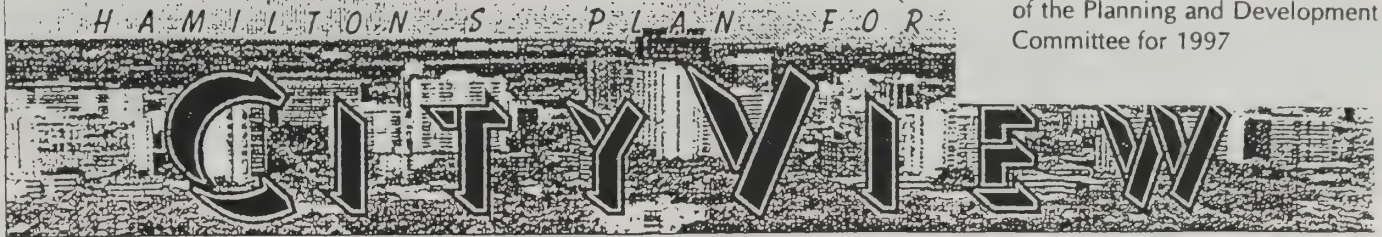


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Site of the Application

Appendix "D" as referred to in
Section 4 of the Fifteenth Report
of the Planning and Development
Committee for 1997



City of Hamilton Planning and Development Department

1997

WHAT IS YOUR CITYVIEW? IT'S HERE!

APPENDIX " "



In 1996, the City of Hamilton published a series of 24 background brochures describing a variety of city planning ideas, issues and concerns facing our community. At that time, we asked for your goals, ideas and thoughts for Hamilton in the future - what is your CityView?

After talking and listening to many citizens, neighbourhood associations, businesses and community agencies, our CityView of Hamilton will unfold over the coming pages.

What is CityView?

The CityView is a vision that represents the collective values of our community. CityView describes where we want to be in the future. The CityView is being used to create Hamilton's key city planning document - the Hamilton Official Plan. The Official Plan is Hamilton's blueprint for the future. The Official Plan guides and shapes development in the City of Hamilton. It is the document that outlines where and how the City will grow and change.

CityView is woven around six important and interconnected city planning themes. Each of these themes details a specific vision and outlines objectives for the City of Hamilton to achieve over the coming years. These objectives will contribute to creating a better living environment for the residents of Hamilton into the 21st Century.

Our CityView is here! Let's embrace it and create a vibrant, healthy and attractive city through planning today for tomorrow.

Downtown

Since 1846, Downtown Hamilton has been the commercial, cultural, social and historic centre of Hamilton. In an era of "cookie-cutter" municipalities, a key strength of the City of Hamilton is its clearly identifiable city centre - Downtown Hamilton. This area provides a unique urban ambience unparalleled in the Hamilton metropolitan area. The strength and vitality of Hamilton's Downtown is a clear signal of the strength and vitality of our community as a whole. The co-ordinated commitment to Hamilton's Downtown is a commitment from all citizens of Hamilton to the betterment of their entire community.

Downtown CityView

"The Downtown is a community where people wish to live, work and visit."

The City of Hamilton has successfully created an environment which brings a greater number of people to live, work and visit Downtown. Through consumer expenditures and business investment, Downtown Hamilton is a strong, self-sustaining and viable community. As well, our future vision for the downtown incorporates all of the positive elements relating to heritage, economic base, infrastructure, neighbourhoods and community well-being.

Objectives

Enhance the Downtown as a safe and unique community and as the heart of the City and broader metropolitan area.

Encourage preservation and enhancement of the significant heritage resources in the Downtown.

Encourage and assist in the rehabilitation of buildings and/or new development in the Downtown to ensure their long term economic viability through innovative planning mechanisms, for example, a development permit system.

Focus municipal efforts on provision of streetscaping improvements, coordination of planning and development activity, and municipal services and infrastructure.

Promote continued development of the Downtown as the primary business, office, public transit, cultural, entertainment and administrative centre of the City.

Provide clear direction to the development industry on the desired visual and aesthetic character of the Downtown.

Neighbourhoods

Hamilton is a community of neighbourhoods, each with a unique character. We have a downtown neighbourhood, newer suburban neighbourhoods and older traditional urban neighbourhoods. Within these neighbourhoods there are different types of homes - apartments, townhouses, single-detached dwellings. There are curved street patterns and grid or block street patterns. There are large community parks and small neighbourhood parks. There are schools, libraries and other community facilities. Our neighbourhoods are a mix of all these uses. More importantly, our neighbourhoods are safe places where people can feel a sense of place and community ownership.

Over the past years, we have seen neighbourhoods in our community that have flourished, some that have declined and still others that have remained stable. There have been factors that have contributed to this including lifestyle choices, demographics and employment trends. Also, the diversity and individual uniqueness of Hamilton's neighbourhoods have become more apparent. Our city needs to embrace the diversity of neighbourhoods.

Neighbourhoods CityView

The character of our neighbourhoods has been strengthened and recognized. Citizens have the opportunity to stay in their neighbourhood or move to other parts of the City as lifecycle needs and wishes change.

Home-based businesses have been effectively integrated within neighbourhoods without adverse effects on the surrounding residential community. Walking and bicycling are more prevalent than using the car. Neighbourhoods are aesthetically attractive, clean, and safe.

Redevelopment and infill developments have maximized the use of the City's investment in existing roads, sewers, waste facilities, schools and recreational facilities, while fitting in to the existing character and scale of the neighbourhood.

Objectives

Recognize the strength of our neighbourhoods by:

- Identifying and promoting the historical and architectural factors that make our neighbourhoods unique.
- Encouraging the continued availability of different housing types while retaining neighbourhood stability.
- Supporting the retention, expansion or establishment of our community recreational, cultural and educational facilities as the focus of the neighbourhood.
- Promoting and actively seeking the involvement of residents in the local planning process; and
- Promote sensitive and appropriate development and redevelopment within neighbourhoods through the:
 - adaptive re-use of underutilized buildings;
 - infilling of vacant lots;
 - establishment of alternative and more flexible development design standards; and
 - encouragement of home-based businesses without disrupting the community character.

Natural Heritage

Our natural heritage is all around us. It consists of water, lakes, streams, shorelines, areas of natural and scientific interest, wetlands, marshes, the Niagara Escarpment, trees, forests, plant and animal habitats. These areas provide a home for wildlife and plants, and they are vital to human life and health.

Human activities have had an impact on our environment - the clean-up of Hamilton Harbour shows we each must be stewards of our environment. Some Environmentally Significant Areas (ESA's) have been lost while other areas of the City have been subject to erosion and flooding.

Natural Heritage CityView

The natural areas of our community have been protected, preserved, and enhanced. City planning policies and objectives effectively manage change within the community and produce environmental benefits.

The Remedial Action Plan and the on-going work of the Bay Area Implementation Team and the Bay Area Restoration Council have resulted in the improvement of water quality and the overall natural habitat in Hamilton Harbour. The Hamilton Harbour and the Lake Ontario shoreline are community assets accessible to all.

Environmentally Sensitive Areas which include marshes, wetlands, the Niagara Escarpment and woodlots have been protected and preserved for future generations. There are no adverse impacts from adjacent and abutting developments.

An extensive pedestrian trail system with many links has been completed throughout the City.



Objectives



Improve the quality of groundwater, streams, creeks and the Hamilton Harbour by: 1) incorporating storm-water management practices through the use of ponds, adopt-a-puddle and rain barrels; 2) utilizing a watershed planning approach in facilitating new development; and 3) supporting and encouraging the activities and efforts outlined in the Hamilton Harbour Remedial Action Plan.

Manage our natural heritage environment by: 1) ensuring any adjacent development does not adversely affect the natural integrity of Environmentally Significant Areas, wetlands and woodlands; 2) protecting animal and plant habitats; and 3) promoting a system of linkages between our natural heritage features through the use of trails, pathways and parks.

Explore alternative land use arrangements that would minimize travel by car. This would improve air quality by reducing vehicle emissions.

Economic Base

One of the keys to a healthy, dynamic city is the strength, diversity and success of the community's economic base. The challenge for the City of Hamilton is to be aware of broad market and economic trends and co-operate with the business community in their efforts to achieve on-going efficiencies and long-term profitability.

The economic base of the City of Hamilton has changed and there are a number of city planning implications arising from these changes.

- Though still a major employer, the manufacturing industrial sector is no longer as prominent in the community as it once was. This has resulted in many vacant and underutilized buildings and lands where soil contamination may be an issue.
- Traditional commercial retail strips along Hamilton's major thoroughfares have experienced difficulties as the population in adjacent neighbourhoods declines and newer suburban shopping malls provide formidable competition.
- More people are working out of their homes and this will continue to expand.
- Traditional industrial neighbourhoods are no longer occupied exclusively by industrial type uses. The East Mountain Industrial-Business Park, for example, is attracting non-traditional retail establishments and office uses.

Economic Base CityView

A strong base of employment opportunities for Hamilton residents has been created, contributing to the long-term viability of the community. The City is aware of broad economic trends and their local planning implications and provides a flexible planning framework to facilitate change. There are many geographic areas suitable for a variety of employment opportunities.

Objectives

Facilitate people working out of their homes without negatively affecting the quality-of-life in residential neighbourhoods.

Promote flexibility for different employment types in the City's industrial neighbourhoods.

Ensure that market sensitive planning regulations are established to promote the re-use of vacant and underutilized industrial lands.

Promote the Port of Hamilton and specific districts within the Bayfront Industrial Area as the location for new manufacturing and recycling industries.

Work with retail merchants and Business Improvement Areas to strengthen their economic viability and market competitiveness of commercial retail areas. Develop a market niche for these areas to ensure long-term success.

Community Well-Being

Livability is the key to successful cities. Although Hamiltonians enjoy a high standard of living, there are increasing concerns regarding safety, noise, environmental quality, traffic congestion and other factors that affect the quality-of-life we enjoy. In addition, the traditional assumptions or principles about developing new neighbourhoods have changed. Much of the planning for new areas in recent decades was based on the notion of the traditional nuclear family, with dad commuting to work in the downtown and mom staying at home, with the children walking to school and coming home for lunch, along with a small commercial plaza nearby for milk and groceries.

Today, mom and dad may both work, perhaps commuting to another city. They pick up their groceries at a retail warehouse store and the children may attend school in a different neighbourhood because that is where the day care provider lives. These new social realities have to be considered in the planning and design of our new neighbourhoods.

Community Well-Being CityView

Streets are more than utility corridors for motor vehicles. The street and streetscape are the critical design element that shape the quality of the community's environment. There are clear street patterns that provide pedestrian, bicycle, and transit access without sacrificing privacy and safety. On the Hamilton Mountain, the classic suburb has become a community, not just an agglomeration of houses, shops and offices connected by cars. Real and meaningful public spaces have been developed and complement the semi-public space of the shopping mall. The City's layout has been reworked to reduce people's dependence on the automobile. Strolling, walking and mingling with neighbours is possible!

Objectives

Minimize traffic congestion and reduce journey to work/travel times.

Ensure all neighbourhoods are fully developed without vacant parcels, i.e., institutional sites/local commercial sites.

Recognize public art as a desirable element of the streetscape and urban form.

Provide commercial and retail opportunities for residents in their own neighbourhood.

Provide greater employment opportunities for the residents of Hamilton.

Create friendly streets through the implementation of traffic calming measures and urban design.

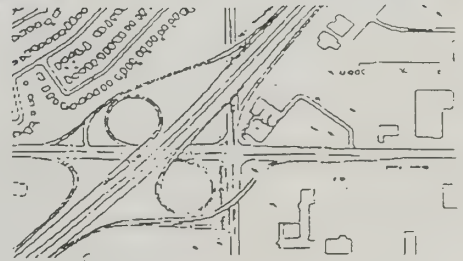
Enhance the design and streetscape elements of the City, promote pedestrianisation.

Maintain, enhance and promote the heritage resources of the community.

Recognize and plan for community-level facilities/amenities that serve areas beyond the immediate neighbourhood (e.g., community level sports parks, Hamilton Place).

Infrastructure

Infrastructure is a broad, generic term for a number of different features of our urban environment. Colloquially known as "flush, gush and drive", infrastructure in our community is both visible and invisible in our daily lives. It encompasses the roads we travel on, the water we drink in our homes, the rainwater that drains from our streets into the catchbasins and the waste water from our sinks, showers and toilets.



An efficient and easily adaptable infrastructure is essential for community well-being, economic stability and future urban growth and development. However, maintaining the existing infrastructure and providing for new infrastructure requires a considerable financial commitment from various levels of government and from proponents of new development.



Infrastructure CityView

The full use of the urban infrastructure has been maximized, capitalizing on the financial investment made in previous years.

Alternative infrastructure standards for new development reduces the required financial commitments, yet, at the same time, provides a comparable level of service for Hamilton consumers and businesses.

The standards or guidelines for the various components of infrastructure recognize the context and character of the particular neighbourhood or area of the City.

Objectives

Promote the effective and efficient use of the urban infrastructure already in place.

Review alternative standards for new infrastructure to reduce the upfront required financial costs, while maintaining community character and aesthetics.

Develop and apply flexible infrastructure standards that recognize the varied nature of Hamilton's neighbourhoods.



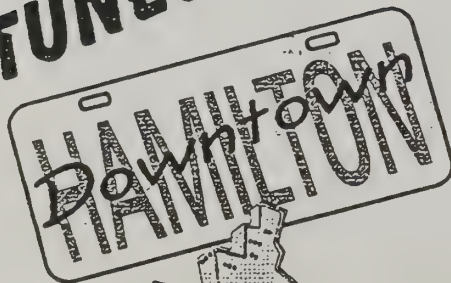
PAGE SEVEN

Where Do We Go From Here?

Staff of the Planning and Development Department are working on a draft of the new Official Plan for the City of Hamilton. The new draft Official Plan will capture the planning themes highlighted in CityView. When the draft Official Plan is completed, a major public outreach campaign will kick into gear to hear what Hamilton residents and other community partners have to say about the new Official Plan.

Once again, we will be calling on you shortly....

STAY TUNED!



CITYVIEW

CityView Hamilton's Plan for Tomorrow is your opportunity to present your ideas and thoughts on the future of Hamilton.

Your ideas will ultimately form the basis of a new Official Plan for the City of Hamilton.

Staff of Hamilton's Planning and Development Department are available to answer your questions on any facet of CityView.

Ways to Contact Us...

Joanne Hickey-Evans at (905) 546-4229
Keith Exance at (905) 546-4158

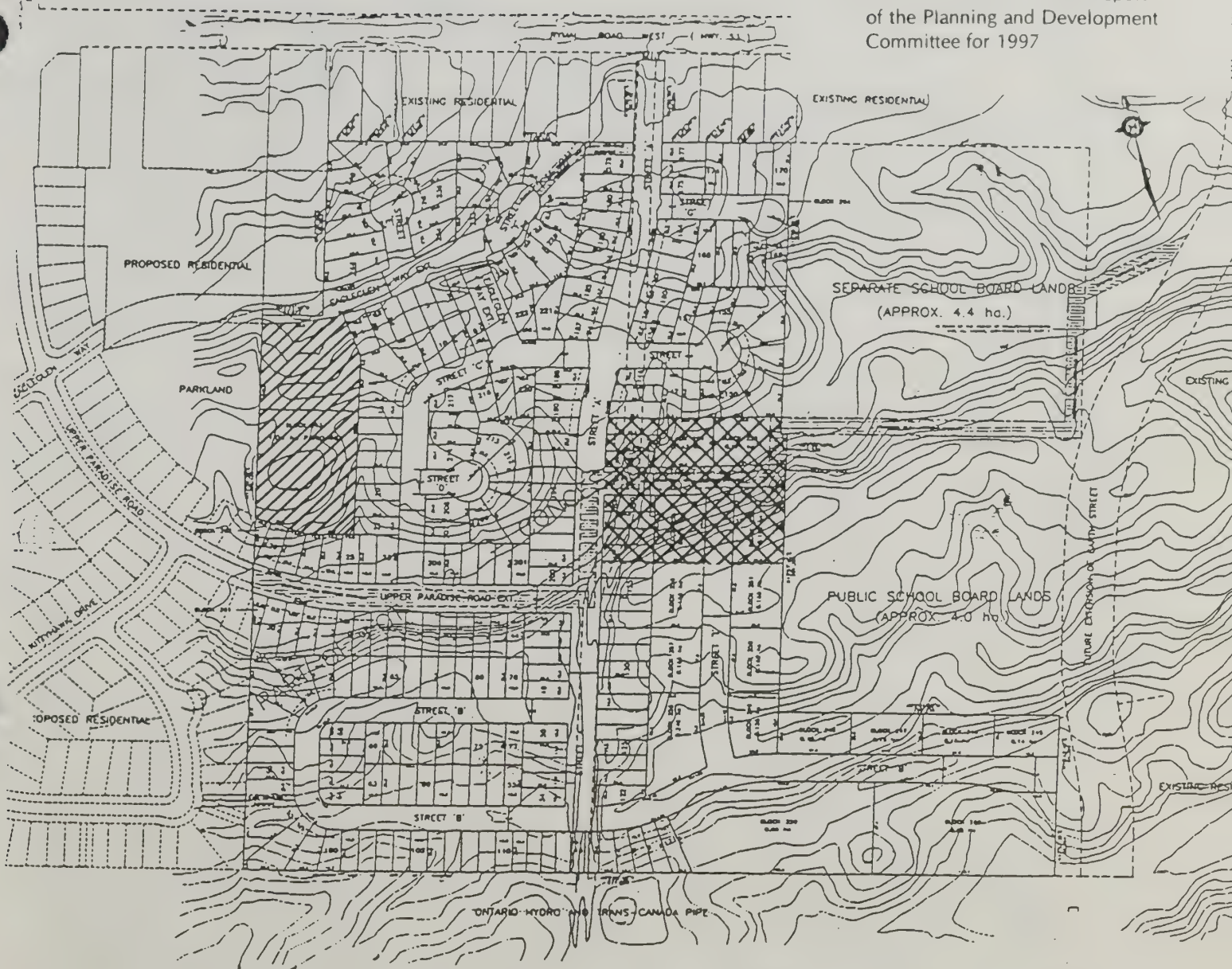
FAX (905) 546-4202

E-Mail: city.hamilton.planning@freenet.hamilton.on.ca

Mail to...

City of Hamilton
Planning and Development Department
7th Floor, City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Appendix "E" as referred to in
Section 6 of the Fifteenth Report
of the Planning and Development
Committee for 1997



Legend

BLOCK 1



Lands to be redesignated from "Open Space" to "Residential"
(Lots 127 - 143, inclusive, and Blocks 252 - 255, inclusive, on
proposed Draft Plan of Subdivision)

BLOCK 2



Lands to be redesignated from "Residential" to "Open Space"
(Block 263 on proposed Draft Plan of Subdivision)

Reference File No.

SAR-97-04

Drawn By

Date

R.L.

August 19

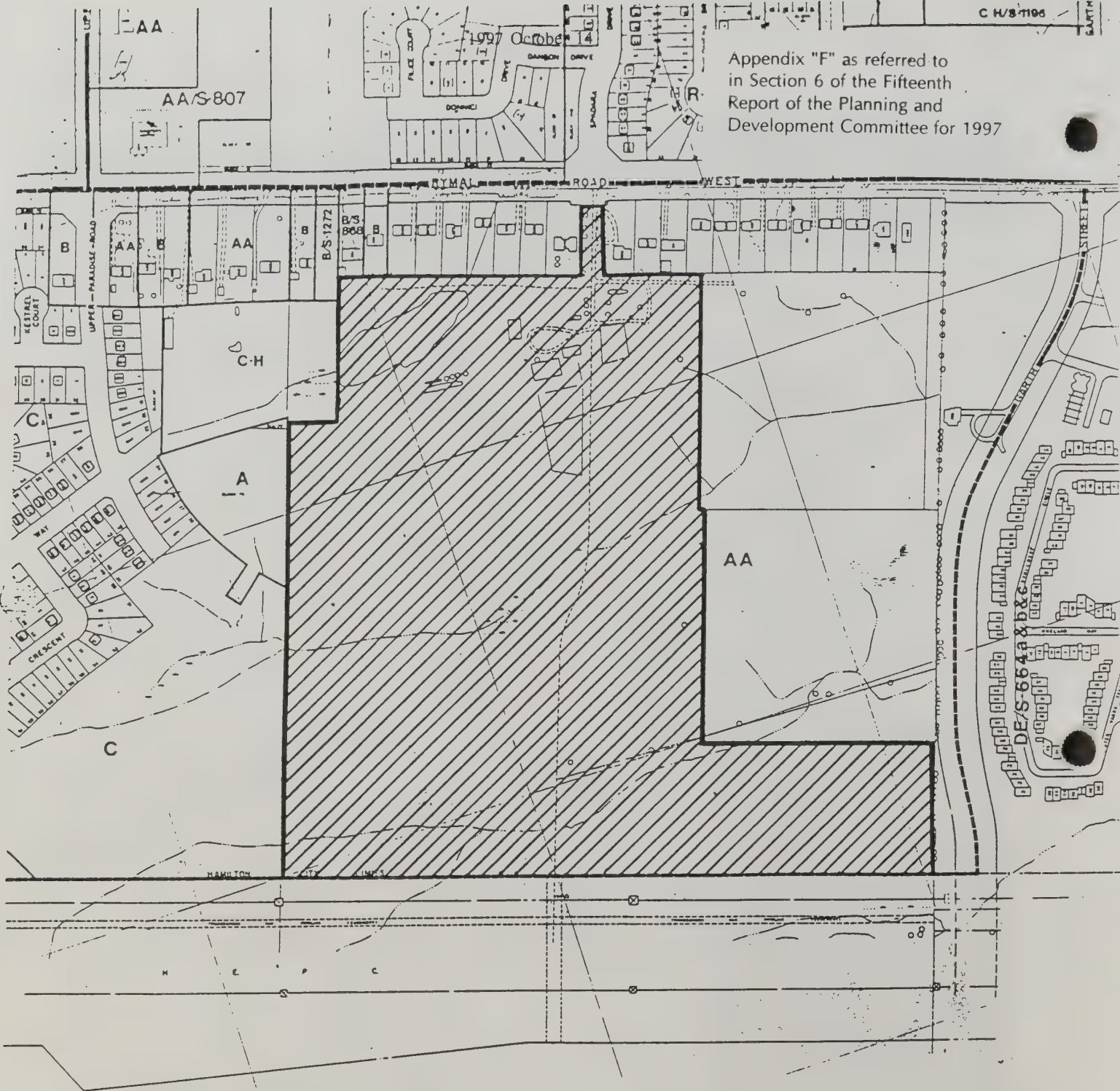
Scale

Not to Scale

North

APPENDIX "E"

Appendix "F" as referred to
in Section 6 of the Fifteenth
Report of the Planning and
Development Committee for 1997



Legend



Site of the Application

Reference File No

SAR-97-04

Drawn By

B.B.

Date

Aug. 1997

Scale

Not to Scale

North



25T-97009
(REDLINE REMOVED)

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DRAFT PLAN
OF
SUBDIVISION
OF
THE
CITY OF HAMILTON
ON
THE
2ND

KEY MAP

INFORMATION REQUIRED

SECTION 31 OF THE PLUMBING ACT

EXACTLY SPECIFY & DESCRIBE IN

TERMS OF MATERIALS AND METHODS

OF INSTALLATION

NUMBER AND DATE OF

APPROVAL BY THE

LOCAL HEALTH DEPARTMENT

SUPERVISOR'S CERTIFICATE

OWNER'S CERTIFICATE

OWNER S CERTIF

SUBMISSION DRU

Comments of Reviewer

1945

Figure 6

1. 100%
 2. 100%
 3. 100%

DATE: 10/10/19

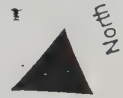
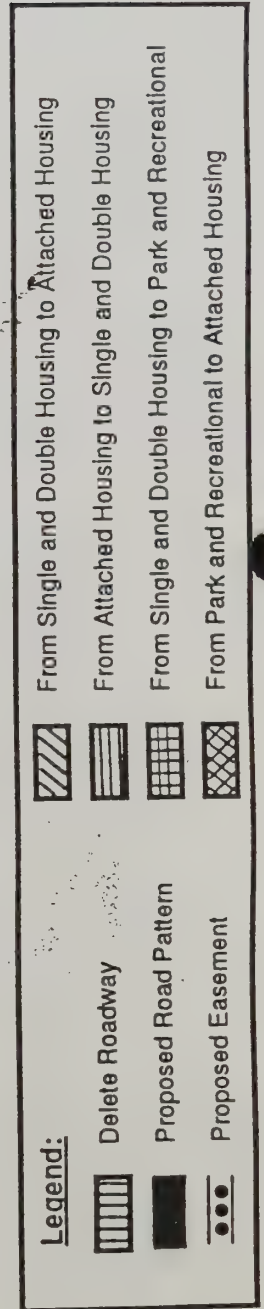
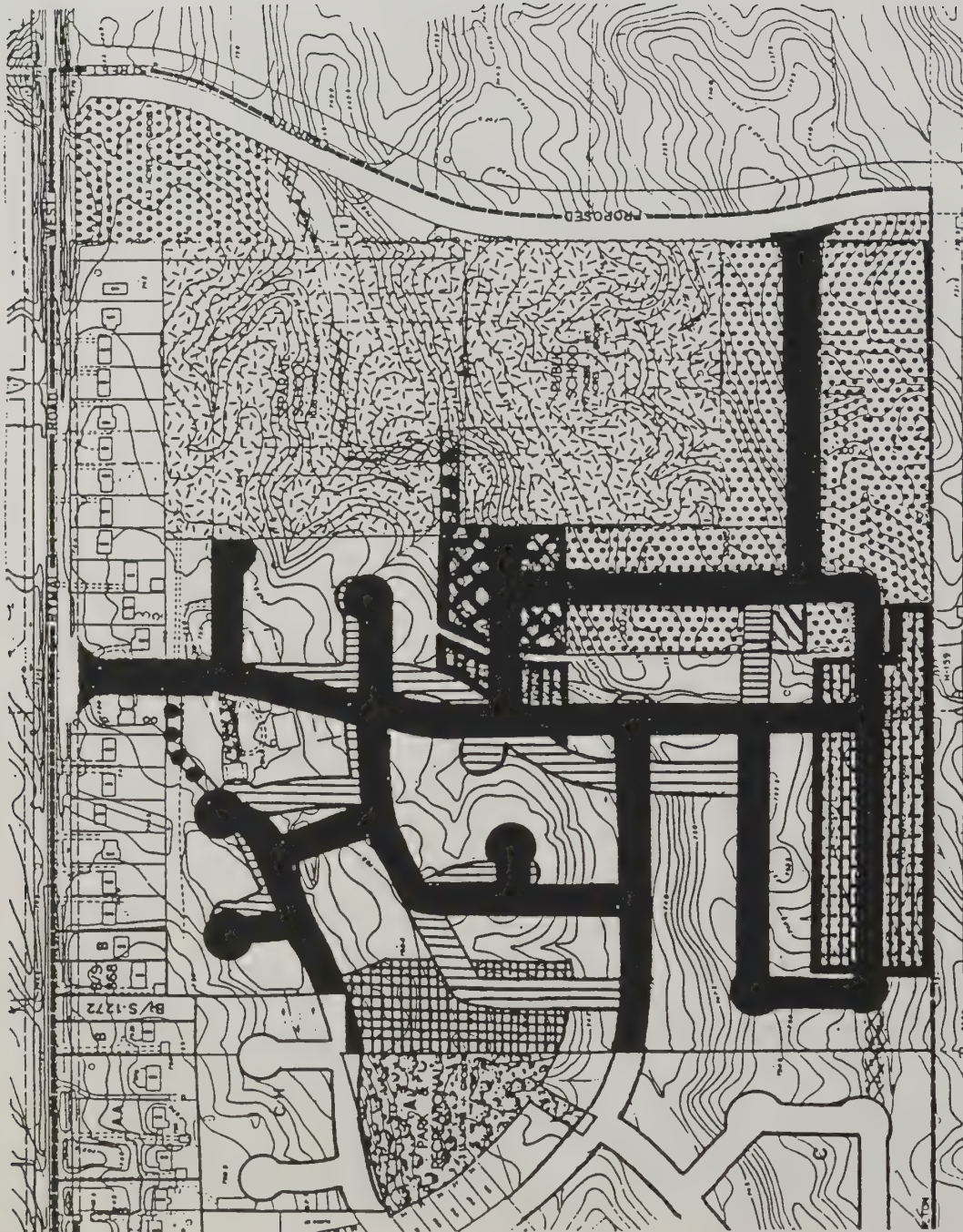
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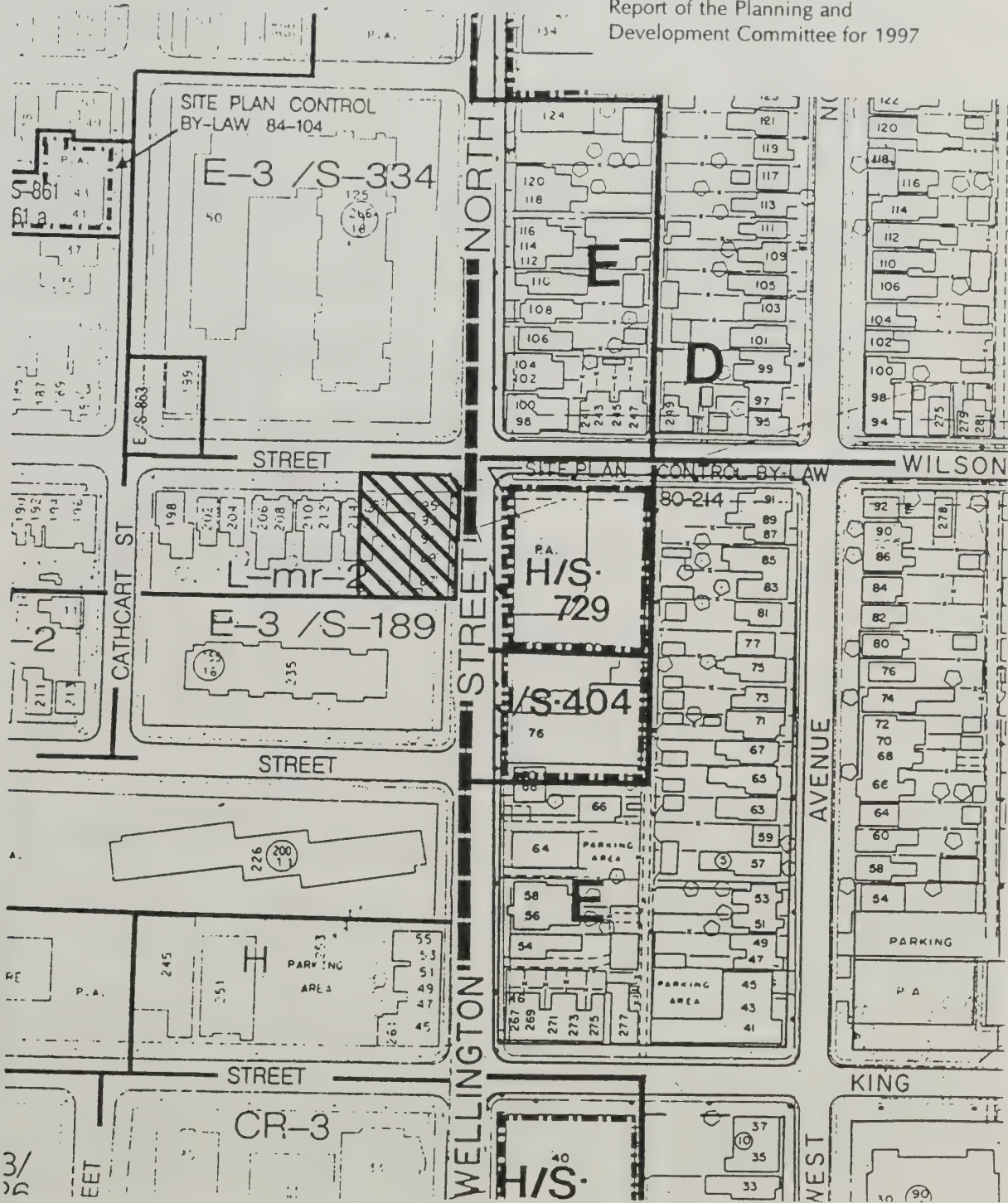
REFERENCES

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

960

Appendix "H" as referred to in
Section 6 of the Fifteenth Report
of the Planning and Development
Committee for 1997





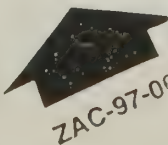
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Change in zoning:

From: "L - Mr - 2" (Planned Development)
Multiple Residential 962

To: "DE - 2" (Multiple Dwellings) District, Modified



APPENDIX

787 - 791 BARTON STRE



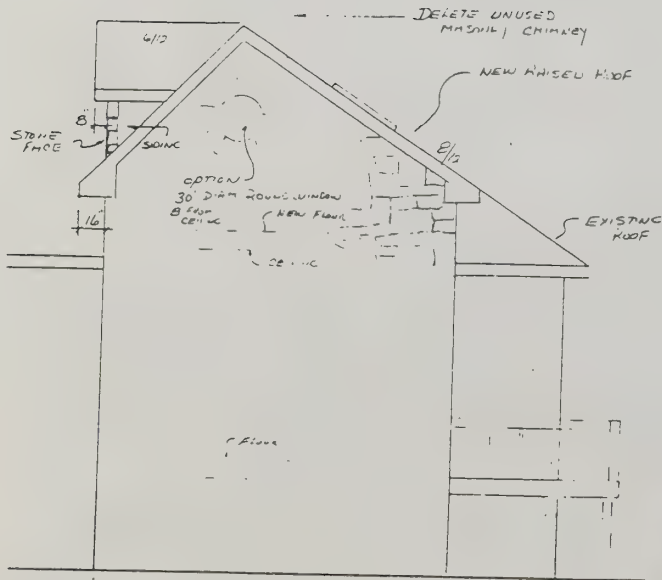
APPENDIX " "

- 6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor.
1. That the transferee shall commence construction of a building, having a minimum building area of 35,000 square feet, upon the hereinbefore described land by not later than September 30, 1998.

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
 2. That the transferee shall complete construction of the said building by not later than December 31, 1998.

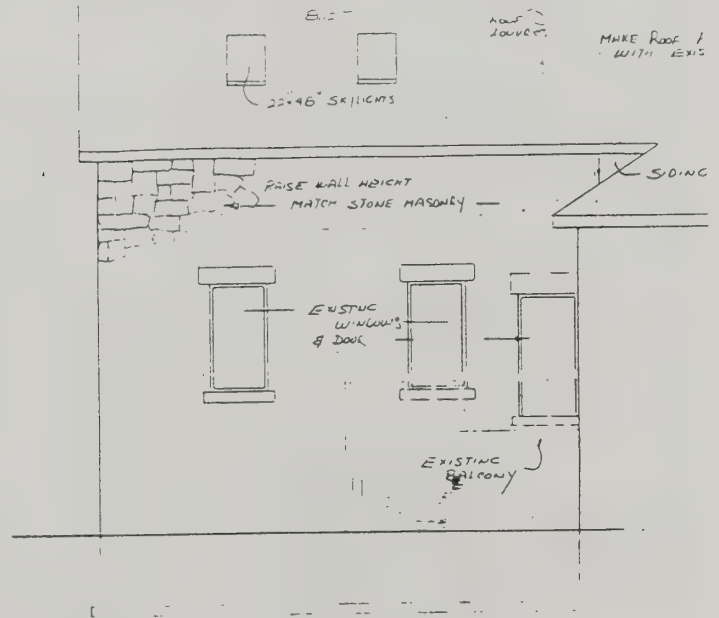
The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
 3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.
 4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
 5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.
- 6.6 Notwithstanding paragraphs 6.3 (1) (2) (3) hereof, should the Transferee decide to construct an industrial condominium, in accordance with municipal, regional, and provincial requirements, the Transferee shall be entitled to enter into Agreements of Purchase and Sale in respect of the units to be contained within such condominium and shall further be entitled to transfer such condominium units to such Purchasers without such sales or transfers being deemed an act or acts of default hereunder.

Appendix "L" as referred to
in Section 11 of the Fifteenth
Report of the Planning and
Development Committee for 1997



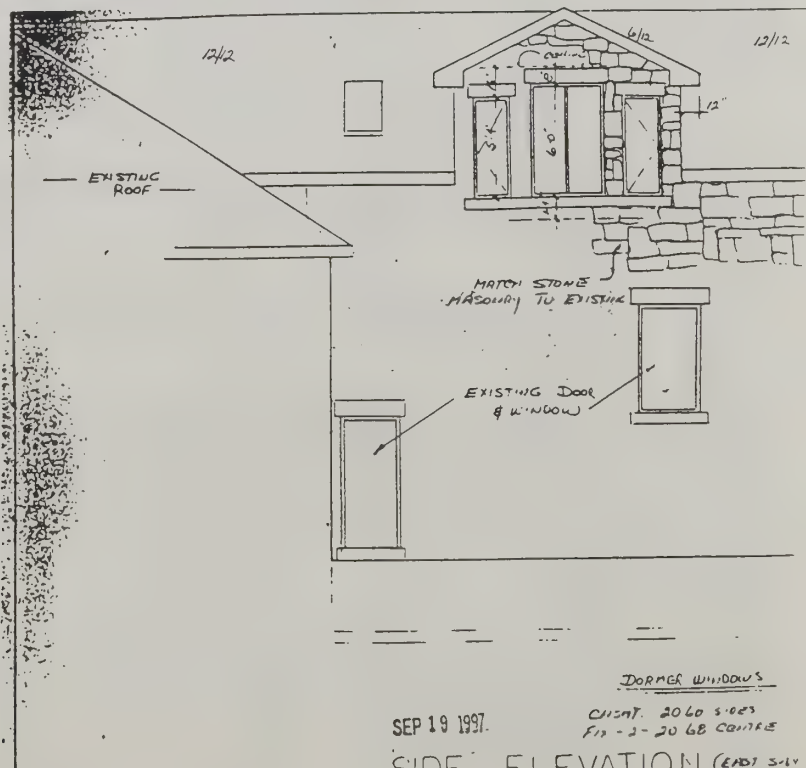
SEP 19 1997

REAR ELEVATION



SEP 19 1997

SIDE ELEVATION (WEST SIDE)



SEP 19 1997

SIDE ELEVATION (EAST SIDE)

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-FIRST** Report for 1997 and respectfully recommends:

1. (a) That the City decline to accept the Plaintiff Offer to Settle Ontario Court (General Division) Action #21938/90 by the payment to the Plaintiffs, Maria and Rose Giammichele, of the sum of \$135,132.42 inclusive of all claims for damages, interest and costs; and,

(b) That the City Solicitor be directed to proceed with this matter to a Pre-Trial hearing and to report back to the Finance and Administration Committee thereafter.
2. (a) That the City resolve Ontario Court (General Division) Action #33360/92 by the payment to the Plaintiff, Hermina Morski, of the sum of \$3,500 including all claims for damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action #33360/92 be dismissed without costs.
3. (a) That the City resolve Ontario Court (General Division) Action #12480/96 by the contribution of the sum of \$1,000, inclusive of all claims for damages, interest and costs, to the sum of money being paid to the Plaintiff Giovanna Pellegrino; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action #12480/96 and all crossclaims in the action be dismissed without costs.

4. That as referred to in Section 5 of the Ninth Report for 1997 of the Transport and Environment Committee approved by City Council on 1997 August 26th, that the cost of land acquisition know as part of 337 Centennial Parkway North in an amount not to exceed \$16,200 be financed from the Reserve for Services Through Unsubdivided Lands, Account Centre No. CH 00107.
5. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
CF 919051011	Library-Automation/Collection Access Phases 2-5	\$181,000	\$181,000	\$0
CF 919151018	Office Automation-1991 Phase	\$75,000	\$75,000	\$0
CF 919151019	Automation/Collection Access-Phase 3	\$223,000	\$223,000	\$0
CF 919241004	Central Library First Floor Renovations	\$542,000	\$541,841	\$159
CF 919251008	Automation & Collection Access- Phase IV	\$90,000	\$90,000	\$0
CF 919251009	Office Automation (1992)	\$84,000	\$84,000	\$0
CF 919351011	Automated Collection Development - Phase 5	\$67,000	\$67,000	\$0

6. (a) That the City of Hamilton provide funding in the amount of \$6,250 toward the \$25,000 cost of a District Energy Feasibility Study being conducted in Hamilton by Natural Resources Canada, which is contributing \$12,500 to the Study and for which the Region of Hamilton-Wentworth is contributing \$6,250; and,
- (b) That funding for this contribution be financed from Centre CH24201 - Unclassified; and,
- (c) That the parties jointly endeavour to structure the Project so that funds invested are recovered upon completion of Project financing; and,

- (d) That the Director of Culture and Recreation be authorized to develop a strategic plan for the renewal of the district heating concept for the City of Hamilton in consultation with other public and private sector stakeholders; and,
 - (e) That the Director of Culture and Recreation report back to the Committee of the Whole during the Capital Budget process.
7. That in recognition of the upcoming Municipal Election and the subsequent Inaugural Meeting that the following changes to the Standing Committee and City Council Meeting Schedule be implemented:
 - (a) That the first set of Standing Committee and City Council meetings in November be cancelled; and,
 - (b) That the meeting schedule for 1997 December be amended to reschedule the Standing Committees to the week of 1997 December 8th at dates and times to be co-ordinated with the Regional meeting schedule; and,
 - (c) That the 1997 December City Council meeting be held at 2:00 o'clock p.m. on Tuesday, 1997 December 16th (same day as Regional Council).
8. That excess or surplus capital financing identified during 1997 through the closure of capital project accounts and allocated to the Reserve for Capital Projects Account Centre CH 00203, be used as the source of funding for the following capital grants for a total amount of \$99,920:
 - (a) MacNab Street South Y.W.C.A. \$ 60,000.
(to repair exterior brick veneer)
 - (b) Hamilton Jewish Home for the Aged,
Shalom Villa
(to reimburse the Villa for City
Development Charges) \$ 4,920.
 - (c) Hamilton Filipino Community Centre
(to be used in the restoration of
the building) \$ 12,500.

- (d) Portuguese Community Centre
(continuation of funding program
from previous years) \$ 12,500.
 - (e) Hamilton Victoria Curling Club
(to offset cost of repairs and
replacement of equipment) \$ 5,000.
 - (f) The English-Speaking Union of Canada
(relocate operations in Hamilton) \$ 5,000.
9. (a) That the actions of the Chief Administrative Officer be approved in arranging for the Ministry of Environment and Energy to conduct the analysis on sixteen soil samples collected from public parks areas for the presence of PAH (Polycyclic Aromatic Hydrocarbons) at a cost of \$5,600.; and,
- (b) That funding for this expenditure be financed from Centre CH24201 - Unclassified.
10. That after hearing the evidence and submission of the complainant, Norm Westbury, for Hamilton Habitat for Humanity, the Council of the City of Hamilton hereby refunds the development charges imposed on the property located at 271 Jackson Street West pursuant to City of Hamilton Development Charges By-law 95-176 in the amount of \$1,592.05.
11. (a) That J&H Marsh & McLennan, Limited be appointed as the City's Insurance Brokers of Record responsible for the City's complete insurance portfolio and related risk management services for a three year term from 1997 October 15 to 2000 October 15 (subject to annual review by the City Solicitor);
- (b) That the Mayor and City Clerk be authorized to execute the contract, satisfactory to the City Solicitor in respect of the broker appointment.
- (c) That J&H Marsh & McLennan, Limited be authorized to initiate a remarket of the City's insurance portfolio upon specifications and deductibles set out by the City Solicitor for consideration by Council on or before 1997 November 25; and,

- (d) That the City Solicitor be authorized to obtain quotations for consideration by Council of Public Official's Liability Insurance for consideration on or before 1997 November 25. **REFERRED BACK.**

12. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

- (a) D-56 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 October 7th**

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **THIRTEENTH** Report for 1997 and respectfully recommends:

1. (a) That the Memorandum of Agreement between the City of Hamilton and the Hamilton Harbour Commissioners dated 1997 September 29th, attached herewith and marked Appendix "A" be adopted as a first step only in negotiations with the Hamilton Harbour Commissioners towards the City Council's position as set out in its resolution on 1996 February 13th; and,

(b) That City Council request the Hamilton Harbour Commissioners to meet with the City negotiating team within the next two months to discuss the outstanding issues as outlined in Section 8 of the Memorandum of Agreement.

Recorded vote.

YEAS: Acting Mayor Jackson, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Collins, Charters, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Wilson, Merling. -2.

CARRIED.

2. That the following recommendations contained within the City of Hamilton Project Team Plastimet Fire Report dated 1997 October 10th be approved:
 - (a) That the Ministry of Environment & Energy be requested to review all recycling operations (existing and proposed) to determine if they require a Certificate of Approval under the Environmental Protection Act, and that recycling operations be licensed and monitored by the Ministry of Environment & Energy in the same manner as waste disposal sites in order to provide a process that can act as another enforcement lever that ensures compliance must be undertaken before a recycler is allowed to operate; and,

- (b) That the Ministry of Environment & Energy be requested to review their criteria for the requirements of a Certificate of Approval for all recycling industries and industrial operations using products that have potential to cause environmental impairments; and,
- (c) That when a Certificate of Approval is not deemed to be required by the Ministry of Environment and Energy for manufacturing, recycling and industrial operations, that the Transport and Environment Committee be advised, to ensure that appropriate independent reviews are conducted by City departments and that the Ministry of Environment and Energy be requested to supply any supporting documentation to municipalities dealing with Certificates of Approval applications including non-requirement of same; and,
- (d) That, in the continuing absence of provincial legislation to monitor the establishment of manufacturing, recycling and industrial operations in municipalities, that the City of Hamilton establish a business registry in order that city departments can ensure that a proposed business meets all applicable laws administered or enforced by the City; and,
- (e) That City Council request the Office of the Fire Marshal to review the Plastimet fire with a view to enacting specific legislation amending the Ontario Fire Code and the Ontario Building Code to deal with recycling operations in Ontario, specifically, but not limited to plastics recycling; and,
- (f) That City Council request the Province of Ontario to create an Environment Fund to pay for the cost of cleaning contaminated sites where the registered owner cannot be found or is unable to pay for the cleanup; and,
- (g) That the City of Hamilton consider establishing a contingency fund from which expenses incurred during emergencies can be paid; and,
- (h) That due to the closing of the Environmental Compensation Corporation, the Province of Ontario be requested to require industries using hazardous chemicals to pay into a Environmental Compensation Fund, and that the fund pay damages to people who suffer damages due to the escape of hazardous chemicals; and,
- (i) That zoning regulations be reviewed to restrict future hazardous processes involving plastics and any other bulk recycling in or adjacent to existing residential areas in order to prevent any new recyclers locating into existing built up residential areas in concert with its existing review of the Heavy Industrial Zoning and its relationship with residential districts; and,

- (j) That a tender call be issued for the provision of emergency services, equipment and supplies.
 - (k) That the City require that each applicant accompanies his/her application for a Certificate of Approval with proof of adequate insurance to address every potential hazard; and,
 - (l) That a Pollution Control Sub-Committee, a Sub-Committee of the Transport and Environment Committee, be re-established; and,
 - (m) That the City reiterate its position of 1997 July 24th for the need for a public inquiry respecting the Plastimet fire.
3. (a) That the City of Hamilton contribute without prejudice up to \$10,000 for the cost to clean up the contaminates at 210 Ferrie Street East, because the sale of this property, which had been negotiated and finalized and had been waiting for closing, has now been jeopardized by the discovery of contaminates on the land by the Ministry of Environment and Energy; and,
- (b) That funding for this expenditure be financed from the Reserve for Contingencies CH00115.

RESPECTFULLY SUBMITTED

**ALDERMAN T. JACKSON, ACTING CHAIRMAN
COMMITTEE OF THE WHOLE**

**J. J. Schatz, Secretary
1997 October 14**

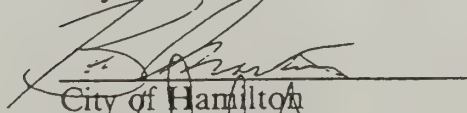
MEMORANDUM OF AGREEMENT

The City of Hamilton and the Hamilton Harbour Commissioners agree in principle as follows:

1. Waterlots 1, 2 and 4 transferred by the Hamilton Harbour Commissioners to the City of Hamilton.
2. Pier 8 designated as Open Space when no longer used for Shipping and Navigation purposes.
3. Transfer of Waterlots 1, 2 and 4 will occur following the Government of Canada announcing the continuance of the Hamilton Harbour Commissioners as a Canada Port Authority.
4. City of Hamilton to indemnify and save harmless the Commissioners from all damages, actions, etc. that may result from the transfer of said Waterlots above, subject to wording which is acceptable to the Commissioners and the City Council.
5. Hamilton Harbour Commissioners to ratify the above at the next formal Board meeting. This Memorandum of Agreement will be referred to the next City Council meeting for adoption.
6. Hamilton Harbour Commissioners to complete creation of fish habitat in Waterlot 4 prior to transfer.
7. The Minutes of Settlement approved by the parties in February 1997 in the Ontario Municipal Board appeal require a Board Order to issue before implementation. As a result of a meeting last week between the lawyers representing the parties, outstanding concerns have been narrowed. The parties expect and have instructed Counsel to expedite the issuance of the Board Order.
8. The parties continue to discuss outstanding issues such as land ownership, disposition of reserves and land use planning, prior to issuance of Letters Patent.



City of Hamilton

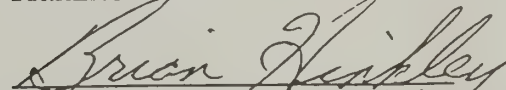


City of Hamilton

City of Hamilton


Hamilton Harbour Commissioners


Hamilton Harbour Commissioners


Hamilton Harbour Commissioners

Monday, 1997 September 29

1997 October 28

Minutes of Hamilton City Council

Tuesday, 1997 October 28

7:30 o'clock p.m.

Council Chamber, City Hall

URBAN MUNICIPAL

NOV 20 1997

The Council met:

GOVERNMENT DOCUMENTS

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Rev. J. Mark Lewis, MacNab Street Presbyterian Church led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow acknowledged in attendance the following:

Hamilton Beautification Volunteer Committee headed by Chairman, Dale Chapman, and;
Volunteer Pink Trillium Judges and Red Trillium Selection Panel.

* * * * *

Mayor R. M. Morrow acknowledged the following for their participation as corporate partners
for funding the operating costs of the Hamilton Beautification Awards Program:

The Spectator, Union Gas, Landscape Ontario, Dofasco, Hamilton and District Flowers
Association.

* * * * *

Mayor R. M. Morrow presented the Commercial/Industrial Award to Dr. A. Solomon, 209 MacNab Street South.

* * * * *

Mayor R. M. Morrow presented the Pink Trillium Awards to:

Ward 1	212 Ewen Road - Regina Pakalniskis
Ward 2	9 Kingsway Drive - Frank & Penny Salvatori
Ward 3	21 Glendale North - Jenny Wiggins
Ward 4	779 Tate Avenue - Cherie & David McNight
Ward 5	192 Montmorency - Jan & Catherine Josko
Ward 6	26 Innswood Place - Dennis Facia & Sharon Hayes
Ward 7	78 Bishopsgate - Thomas & Violet Brunskill
Ward 8	27 West 28th Street - Fredric & Alberta Tyrrell

Mayor R. M. Morrow presented the Red Trillium Award to Regina Pakalniski, 212 Ewen Road, Ward 1.

* * * * *

Mayor R. M. Morrow presented a Certificate of Recognition to Mohawk College for developing the **"The Enterprise Beginnings Program"**.

Mayor R. M. Morrow presented a Certificate of Recognition to the following participants of the Enterprise Beginnings Program:

Elvidio Aldana	Suzanne Amer
Craig Armstrong	Jennifer Balshaw
Mike Cole	Karen Comeau
Greg Cooke	Paul Davies
Rose DelGobbo	David Ekins
Cynthia Fratton	Jeremy Kane
Aaron MacDonald	Karen Regan
William Romberg	Katherine Wigmore

ADOPTION OF MINUTES

The minutes of the meeting held 1997 October 14 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1997 October 14 from Nicola and Rosalba Clarizio, 130 Fieldway Drive, Hamilton, Ontario for further modification to the "C" (Urban Protected Residential, etc.) District for 852 Upper Wentworth Street, Hamilton, Ontario.

Received.

2. Letter dated 1997 October 24 from Trudi Down, Chairman, Hamilton Public Library Board respecting library board governance.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - TENTH REPORT

PLANNING & DEVELOPMENT COMMITTEE - SIXTEENTH REPORT

Section 3 Re: Official Plan Amendment No. 145 - Chedoke Terrance Inc.-100 Beddoe Dr. - Conflict of Interest

Alderman D'Amico declared personal interest in and took part in the debate and refrained from voting on this matter as his employer owns the property in question.

* * * * *

Section 3 Re: Official Plan Amendment No. 145 - Chedoke Terrace Inc.-100 Beddoe Dr.

It was moved by Mayor Morrow and seconded by Alderman McCulloch that Section 3 of the Sixteenth Report for 1997 of the Planning and Development Committee respecting an Official Plan Amendment for lands at 100 Beddoe Drive be referred back.

Recorded vote.

YEAS: Mayor Morrow, Aldermen McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -11

NAYS: Aldermen Kiss, Caplan, Drury, Copps. -4. **CARRIED.**

* * * * *

Section 4 (b) Re: Establish a McMaster University Area Neighbourhood Task Force

It was moved by Alderman Drury and seconded by Alderman Caplan that Section 4(b) of the Sixteenth Report for 1997 of the Planning and Development Committee be amended by adding the words "and the Fire Department" at the end of the paragraph. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - TWENTY-SECOND REPORT

Section 1 (a) Re: Medical Surveillance Programme - Hamilton Fire Department - Plastimet Fire

It was moved by Alderman Charters and seconded by Alderman Collins that Sub-section (a) of Section 1 of the Twenty-Second Report for 1997 of the Finance and Administration Committee be amended by deleting the word "impacted" in the third line. **CARRIED.**

* * * * *

Section 8 (a) Re: Provincial Bill 109 - Local Control of Public Libraries Act, 1997

It was moved by Alderman Wilson and seconded by Alderman Jackson that Sub-section (a) of Section 8 of the Twenty-Second Report for 1997 of the Finance and Administration Committee respecting the size of the new Library Board be amended to increase the total size to 9 members by increasing the number of appointed citizen members from five to seven. **CARRIED.**

* * * * *

Section 9 Re: PaRCIL Project

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 16 Re: Dalton Timmis Group, Inc.

It was moved by Alderman Anderson and seconded by Alderman D'Amico that the following be added as Section 16 of the Twenty-Second Report for 1997 of the Finance and Administration Committee:

16. (a) That Dalton Timmis Group, Inc. be appointed as the City's Insurance Brokers of Record responsible for the City's complete insurance portfolio and related risk management services for a three year term from 1997 October 29 to 2000 October 29 (subject to annual review by the City Solicitor); and,
- (b) That the Mayor and City Clerk be authorized to execute the contract, satisfactory to the City Solicitor in respect of the broker appointment.
- (c) That all insurance policies expiring 1997 December 1 be extended to 1998 March 1 and that the City Solicitor be authorized to execute any required documents in this regard; and,
- (d) That Dalton Timmis Group, Inc. be authorized to initiate a remarket of the City's insurance portfolio upon specifications and deductibles set out by the City Solicitor for consideration by Council on or before 1998 March 1; and,
- (e) That the City Solicitor be authorized to obtain quotations for consideration by Council of Public Official's Liability Insurance for consideration on or before 1998 March 1.

CARRIED.

RESOLUTIONS

It was moved by Alderman Merling and seconded by Alderman Anderson that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of the following resolutions:

- (a) Permit Parking Regulation on the west side of East 24th Street.
- (b) Removal of the "No Parking" Regulation on the west side of Locke Street South.
- (c) Amendment to the Staff Complement of Streets District 7 of the Public works and Traffic Department.
- (d) Four-Way Stop Control at the intersection of Moxley and Gatineau Drives.
- (e) Snow Removal Purchase Orders.

- (f) Encroachment Agreement between the City and F. Urekar.
- (g) Three-way Stop Control at the intersection of Rushdale Drive and Charing Drive.
- (h) Adoption of the Bills. **CARRIED.**

* * * * *

It was moved by Alderman Merling and seconded by Alderman Collins that

- "(a) That a "Permit Parking" regulation be implemented on the west side of East 24th Street commencing at a point 355 feet south of Crockett Street and extending to a point 21 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Jenny Lewis, No. 90 East 24th Street."
- CARRIED.**

* * * * *

It was moved by Alderman Merling and seconded by Alderman Collins that

"That the existing "No Parking" regulation on the west side of Locke Street South commencing 119 feet north of Charlton Avenue West and extending to a point 27 feet northerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly."

CARRIED.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Collins that

"That effective 1997 November 1, the staff complement of Streets District 7 of the Public Works and Traffic Department be adjusted as follows:

Delete Foreman II 1 FTE

Add Foreman I 1 FTE"

CARRIED.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Collins that

"That four-way stop control be implemented at the intersection of Moxley Drive and Gatineau Drive and that the City Traffic By-law No. 89-72 be amended accordingly." **CARRIED.**

* * * * *

It was moved by Alderman Merling and seconded by Alderman Collins that

"That purchase orders be issued to 2000 April 30, for the rental of labour and equipment for snow removal, in accordance with the specifications issued by the Purchasing Division and Vendor's tenders, detailed in the Appendix "A" attached hereto, and that this expenditure be financed through the Hired Equipment Clearing Account No. CH56602 60999." **CARRIED.**

* * * * *

It was moved by Alderman Merling and seconded by Alderman Collins that

"That the application of F. Urekar, owner of No. 814 Mohawk Road East, to establish and maintain a decorative brick wall measuring 3.65m x 19.20m, onto the road allowance of Currie Avenue, be approved, subject to the following:

- (a) That the owner enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
- (c) That the applicant pay a first year fee \$184 and a subsequent annual fee of \$20."

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Charters. -1.

CARRIED.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Collins that

"That three-way stop control be implemented at the intersection of Rushdale Drive and Charing Drive and that the City Traffic By-law No. 89-72 be amended accordingly."

CARRIED.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Collins that

"That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (i) A-74 A By-law to Amend City Traffic By-law No. 89-72 to Regulate Traffic
- (ii) A-75 A By-law to Amend City Traffic By-law No. 89-72 to Regulate Traffic
- (iii) A-76 A By-law to Amend City Traffic By-law No. 89-72 to Regulate Traffic
- (iv) A-77 A By-law to Amend City Traffic By-law No. 89-72 to Regulate Traffic

CARRIED.

NOTICE OF MOTION

Re: Downtown Development Co-ordinator
Motion put September 30, 1997
Postponed October 14, 1997

It was moved by Mayor Morrow and seconded by Alderman Wilson:

That the City of Hamilton and the Regional Municipality of Hamilton-Wentworth jointly hire a Downtown Development Co-ordinator, on a contract basis, to bring development to the downtown, co-ordinate projects already in existence, and work with all parties concerned.

CARRIED.

ACTING MAYOR FOR THE MONTH OF NOVEMBER, 1997

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman B. Charters be appointed as Acting Mayor for the month of November, 1997. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

City Council then adjourned at 9:10 o'clock p.m.

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 October 28
JJS/dg

Ref: C16-4397

The Corporation Of The City Of Hamilton

Form Of Tender

Rental Of Various Types Of Equipment
Complete With Operator For Snow
Removal During 1997/98-1998/99-1999/2000

Appendix "A" as referred
to in resolutions
from the October 28,
meeting of City Council

Motor Graders c/w Snow Plough & Snow Wing	Quantity Required 15		
Hourly Rate Ceiling Cap	1997-98	1998-99	1999-2000
	\$156.00	\$160.00	\$164.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
All Around	1		\$152.00	\$155.00	\$160.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Danbill	1		\$155.00	\$159.00	\$163.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
NRG	2		\$155.00	\$159.00	\$164.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Anders Contracting	2		\$156.00	\$160.00	\$164.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cormar	2		\$156.00	\$160.00	\$164.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Sparcon	1		\$156.00	\$160.00	\$164.00

Motor Graders Only	Quantity Required 55		
Hourly Rate Ceiling Cap	1997-98	1998-99	1999-2000
	\$144.00	\$148.00	\$152.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Wm. Groves	1		\$130.00	\$136.00	\$142.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cardi	2		\$140.00	\$145.00	\$150.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
All Around	1		\$142.00	\$145.00	\$150.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
G F Mason	1		\$142.00	\$146.00	\$150.00

Motor Graders Only (Cont'd)

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Danbill	4		\$143.00	\$147.00	\$151.00
Name	Qty.	Rates	1997-98	1998-99	1999-2000
NRG	2		\$143.00	\$147.00	\$152.00
Name	Qty.	Rates	1997-98	1998-99	1999-2000
Adair Heavy Equipment	2		\$144.00	\$148.00	\$152.00
Name	Qty.	Rates	1997-98	1998-99	1999-2000
Anders Contracting	2		\$144.00	\$148.00	\$152.00
Name	Qty.	Rates	1997-98	1998-99	1999-2000
Bill Price	5		\$144.00	\$148.00	\$152.00
Name	Qty.	Rates	1997-98	1998-99	1999-2000
Chastney	1		\$144.00	\$148.00	\$152.00
Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cormar	2		\$144.00	\$148.00	\$152.00
Name	Qty.	Rates	1997-98	1998-99	1999-2000
Digit	4		\$144.00	\$148.00	\$152.00
Name	Qty.	Rates	1997-98	1998-99	1999-2000
DVC Enterprises	2		\$144.00	\$148.00	\$152.00
Name	Qty.	Rates	1997-98	1998-99	1999-2000
* Jansen Enterprises	1		\$144.00	\$148.00	\$152.00
Name	Qty.	Rates	1997-98	1998-99	1999-2000
King Paving	8		\$144.00	\$148.00	\$152.00
Name	Qty.	Rates	1997-98	1998-99	1999-2000
Rioux	3		\$144.00	\$148.00	\$152.00
Name	Qty.	Rates	1997-98	1998-99	1999-2000
Spar-Con	1		\$144.00	\$148.00	\$152.00
Name	Qty.	Rates	1997-98	1998-99	1999-2000
Sunset Sewer	2		\$144.00	\$148.00	\$152.00

* Non-Active

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Tim Lipsitt	2		\$144.00	\$148.00	\$152.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Workman	2		\$144.00	\$148.00	\$152.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Woytkiw	1		\$144.00	\$148.00	\$152.00

Rubber Tired Front End Loaders	Quantity Required 11				
w/min. 4 Cu. Yd. Bucket					
Hourly Ceiling Cap	1997-98	1998-99	1999-2000		
	\$107.00	\$110.00	\$113.00		

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cormar	5		\$89.00	\$99.00	\$105.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Dan's Trucking	1		?	\$100.00	\$105.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
All Around	1		\$105.00	\$107.00	\$110.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cardi	3		\$105.00	\$108.00	\$110.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
G.F. Mason	2		\$106.00	\$109.00	\$112.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
G. Mason	1		\$107.00	\$110.00	\$113.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
JDR Tool & Equipment	1		\$107.00	\$110.00	\$113.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
LM Enterprises	1		\$107.00	\$110.00	\$113.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Tim Lipsitt	1		\$107.00	\$110.00	\$113.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
* T & H Truck Service	3		\$107.00	\$110.00	\$113.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Woytkiw	1		\$107.00	\$110.00	\$113.00

* Non-Active

Rubber Tired Articulating Loaders	Quantity Required 5		
min. 950 Cat or Equiv. c/w Blade	1997-98	1998-99	1999-2000
Hourly Ceiling Cap	\$116.00	\$119.00	\$122.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cormar	2		\$100.00	\$110.00	\$120.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
T & H Truck Service	2		\$116.00	\$119.00	\$122.00

Tri-Axle Dump Trucks	Quantity Required 150		
Hourly Ceiling Cap	1997-98	1998-99	1999-2000
	\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Dan's Trucking	3		\$49.70	\$51.70	\$54.70

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cormar	5		\$51.00	\$53.00	\$55.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
All Around	2		\$52.00	\$55.00	\$57.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cardi	12		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Chastney	1		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Chlan's	1		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
F & S Excavating	2		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Gord Cooper	3		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Greco Bobcat	2		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
LM Enterprises	1		\$54.00	\$56.00	\$58.00

Tri-Axle Dump Trucks (Cont'd)

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Pasinato	16		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Roux	2		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Woytkiw	10		\$54.00	\$56.00	\$58.00

Tandem Rear Axle Dump Trucks	Quantity Required		
Hourly Ceiling Cap	1997-98	1998-99	1999-2000
	\$49.00	\$51.00	\$53.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cormar	3		\$44.00	\$48.00	\$51.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Battaglia Contracting	2		\$45.00	\$45.00	\$45.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Sannio Const.	1		\$46.00	\$48.00	\$50.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Roma Concrete	2		\$47.00	\$48.00	\$49.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
G.F. Mason	2		\$47.00	\$49.00	\$51.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Royal Concrete	2		\$47.00	\$49.00	\$51.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Battlefield Bobcat	1		\$49.00	\$51.00	\$53.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
F & S Excavating	2		\$49.00	\$51.00	\$53.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Gord Cooper	2		\$49.00	\$51.00	\$53.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Greco Bobcat	2		\$49.00	\$51.00	\$53.00

Tandem Rear Axle Dump Trucks
(Cont'd)

Name	Qty.	Rates	1997-98	1998-99	1999-2000
JDR Equipment	6		\$49.00	\$51.00	\$53.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
LM Enterprises	1		\$49.00	\$51.00	\$53.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Pasinato	10		\$49.00	\$51.00	\$53.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Rioux	2		\$49.00	\$51.00	\$53.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Sunset Sewers	1		\$49.00	\$51.00	\$53.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Tim Lipsitt	1		\$49.00	\$51.00	\$53.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Tony & Paul	2		\$49.00	\$51.00	\$53.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Woytkiw	3		\$49.00	\$51.00	\$53.00

Rubber Tired Front End Loaders	Quantity Required 45		
Hourly Ceiling Cap	1997-98	1998-99	1999-2000
	\$61.00	\$63.00	\$65.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Ram Equipment	2		\$48.00	\$52.00	\$54.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Blue Crescent	1		\$50.00	\$50.00	\$50.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cormar	6		\$51.00	\$54.00	\$60.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Battaglia	3		\$55.00	\$55.00	\$55.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Digmor	1		\$57.00	\$59.00	\$61.00

Rubber Tired Front End Loaders
 (Cont'd)

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Sannio Const	1		\$58.00	\$60.00	\$62.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Roma Concrete	1		\$59.00	\$60.00	\$61.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
All Around	2		\$59.00	\$60.00	\$62.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
G.F. Mason	1		\$59.00	\$61.00	\$63.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Bill Spear Excavating	1		\$60.00	\$60.00	\$60.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Mountainview	1		\$60.00	\$61.00	\$62.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cardi	3		\$60.00	\$62.00	\$64.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
O. Ciccarelli	2		\$60.00	\$62.00	\$64.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Bill Price	1		\$61.00	\$63.00	\$65.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Chastney	1		\$61.00	\$63.00	\$65.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
CL Moffatt Equipment	4		\$61.00	\$63.00	\$65.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
F & S Excavating	2		\$61.00	\$63.00	\$65.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Greco Bobcat	1		\$61.00	\$63.00	\$65.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
JDR	4		\$61.00	\$63.00	\$65.00

Rubber Tired Front End Loaders
 (Cont'd)

Name	Qty.	Rates	1997-98	1998-99	1999-2000
LM Enterprises	3		\$61.00	\$63.00	\$65.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Rioux	3		\$61.00	\$63.00	\$65.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Tim Lipsitt	1		\$61.00	\$63.00	\$65.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Tony & Paul	2		\$61.00	\$63.00	\$65.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Woytkiw	4		\$61.00	\$63.00	\$65.00

Bobcat Cleaner c/w Blade	Quantity Required 55		
Hourly Ceiling Cap	1997-98	1998-99	1999-2000
	\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Blue Crescent	1		\$45.00	\$45.00	\$45.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Mishacv	1		\$45.00	\$47.00	\$50.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cormar	2		\$46.00	\$48.00	\$50.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Battaglia	1		\$50.00	\$50.00	\$50.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Best Boys	2		\$50.00	\$52.00	\$54.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Digmor	1		\$50.00	\$52.00	\$54.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
T & H Truck Service	1		\$50.00	\$52.00	\$54.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Roma Concrete	1		\$52.00	\$53.00	\$54.00

Bobcat Cleaner c/w Blade (Cont'd)

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Laszlo Palvolgyi	1		\$52.00	\$54.00	\$56.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Royal Concrete	1		\$52.00	\$54.00	\$56.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Green Mountain	2		\$52.99	\$54.99	\$56.99

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Battlefield Bobcat	1		\$53.00	\$55.00	\$57.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Chian's	2		\$53.00	\$55.00	\$57.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Mountainview	1		\$53.00	\$55.00	\$57.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
O. Ciccarelli	5		\$53.00	\$55.00	\$57.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Armishaw Bobcat	1		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Bill Spear Excavating	1		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cardi	1		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
CL Moffatt Equipment	2		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
F & S Excavating	2		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
G Mason	1		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Greco Bobcat	2		\$54.00	\$56.00	\$58.00

Bobcat Cleaner c/w Blade (Cont'd)

Name	Qty.	Rates	1997-98	1998-99	1999-2000
JDR	3		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
LM Enterprises	2		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Rioux	4		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Satellite Renta's	1		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Sunrise Deck	1		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Tony & Paul	3		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Tumbleweed	1		\$54.00	\$56.00	\$58.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Woytkiw	5		\$54.00	\$56.00	\$58.00

Bobcat With Snow Blower	Quantity Required 5		
Hourly Ceiling Cap	1997-98	1998-99	1999-2000
	\$59.00	\$61.00	\$63.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Armishaw	1		\$59.00	\$61.00	\$63.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cormar	1		\$59.00	\$61.00	\$63.00

Bombardier Track Cleaner	Quantity Required 5		
Hourly Ceiling Cap	1997-98	1998-99	1999-2000
	\$67.00	\$69.00	\$71.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Woytkiw	1		\$67.00	\$69.00	\$71.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Workman	1		\$67.00	\$69.00	\$71.00

Four WD Pickup Truck c/w	Quantity Required 40		
Swing Blade			
Hourly Ceiling Cap	1997-98	1998-99	1999-2000
	\$53.00	\$55.00	\$57.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Ram Equipment	2		\$42.00	\$46.00	\$48.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Universal Home Imp.	2		\$45.00	\$47.00	\$49.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Best Boys	4		\$49.00	\$51.00	\$53.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Battaglia	1		\$50.00	\$50.00	\$50.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Blue Crescent	1		\$50.00	\$50.00	\$50.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Digmor	1		\$50.00	\$52.00	\$54.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
T & H Truck Service	2		\$50.00	\$52.00	\$54.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Laszlo Palvolgyi	2		\$51.00	\$53.00	\$55.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Roma Concrete	1		\$52.00	\$53.00	\$54.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Chlan's	3		\$52.00	\$54.00	\$56.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Mountainview	2		\$52.00	\$54.00	\$56.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Battlefield Bobcat	1		\$53.00	\$55.00	\$57.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Bill Spear	1		\$53.00	\$55.00	\$57.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
CL Moffatt Equipment	8		\$53.00	\$55.00	\$57.00

Four WD Pickup Truck c/w
Swing Blade (Cont'd)

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Gord Cooper	1		\$53.00	\$55.00	\$57.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Greco Bobcat	4		\$53.00	\$55.00	\$57.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Rioux	4		\$53.00	\$55.00	\$57.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Satellite	1		\$53.00	\$55.00	\$57.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Tumbleweed	1		\$53.00	\$55.00	\$57.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Woytkiw	10		\$53.00	\$55.00	\$57.00

Tractor Mounted Snow Blower	Quantity Required 5		
Hourly Ceiling Cap	1997-98	1998-99	1999-2000
	\$104.00	\$107.00	\$110.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
CL Moffat Equipment	2		\$104.00	\$107.00	\$110.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Workman	3		\$104.00	\$107.00	\$110.00

Dozers D7 or Equivalent	Quantity Required 5		
Hourly Ceiling Cap	1997-98	1998-99	1999-2000
	\$92.00	\$95.00	\$98.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cormar	1		\$78.00	\$88.00	\$98.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Cardi	1		\$85.00	\$90.00	\$95.00

Name	Qty.	Rates	1997-98	1998-99	1999-2000
Spar-Con	1		\$89.50	\$92.00	\$93.50

Name	Qty.	Rates	1997-98	1998-99	1999-2000
G.F. Mason	1		\$90.00	\$93.00	\$96.00

Dozers D7 or Equivalent (Cont'd)

		Name	Qty.	Rates	1997-98	1998-99	1999-2000
*		Bill Price	3		\$92.00	\$95.00	\$98.00
		Name	Qty.	Rates	1997-98	1998-99	1999-2000
*		Dig-It	1		\$92.00	\$95.00	\$98.00
		Name	Qty.	Rates	1997-98	1998-99	1999-2000
*		DVC Enterprises	4		\$92.00	\$95.00	\$98.00
		Name	Qty.	Rates	1997-98	1998-99	1999-2000
*		G. Mason	1		\$92.00	\$95.00	\$98.00
		Name	Qty.	Rates	1997-98	1998-99	1999-2000
*		Woytkiw	1		\$92.00	\$95.00	\$98.00

* Non-Active

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **TENTH** Report for 1997 and respectfully recommends:

1. That approval, as required by Section 26 of the Fireworks By-law No. 90-198 and Section 5 of the Parks By-law No. 95-126 as amended, be granted to the City of Hamilton to hold two stationary fireworks displays, each one minute in length, at Commonwealth Square on Wednesday, 1997 December 31, at approximately 8:15 o'clock p.m. and 12:00 o'clock midnight, subject to the Terms and Conditions of the Special Events Guidelines.
2. That approval as required by Parks By-law No. 95-126 as amended, Section 37 - to bring animals into a park, be given to the City of Hamilton to bring reindeer into Gore Park during the 1997 Christmas Celebrations, subject to the Terms and Conditions of Special Events Guidelines.
3.
 - (a) That football equipment held by the City of Hamilton after the dissolution of the Hamilton Hurricanes, presently stored at the HAAA grounds be donated to the newly formed Junior football team - The Hamilton Junior Football Club Inc., and;
 - (b) That the remainder of the equipment and supplies be returned to the Hamilton Minor Football Association.
4. That the Director of Culture and Recreation be authorized to proceed with a grant application on behalf of the Arts Advisory Commission to the Hamilton Community Foundation for funding up to \$10,000 to undertake a cultural activities analysis for the City of Hamilton.

5.
 - (a) That the City Treasurer be authorized and directed to carry over to 1998 surplus funds generated from the Celebration '96 OPA Annual General Meeting hosted by the Parks Division in the amount of approximately \$7,690 and to credit this amount to the 1998 Operating Budget Centre 62001 56005 - Computer Software; and,
 - (b) That the Manager of Parks be authorized to access the Celebration '96 surplus funding for the purpose of undertaking design and implementation of a Home Page specific to the City's Parks system, and to link this web site on the City's Corporate Home Page.
6. That the format of the Annual Decoration Day Parade and Service held under the auspices of the Hamilton Veterans Committee, the purpose of which is to decorate the graves of fallen and departed Veterans, be changed to consist only of a morning Parade and Service to be held on the second Sunday in the month of June each year, alternated between Woodland Cemetery (Sections 5 and 18) and Hamilton Cemetery.
7.
 - (a) That approval be given to issue a Purchase Order to Edwin Rowse Architect Ltd. of Toronto, Ontario as the Consulting Architectural Firm for the Hamilton Museum of Steam and Technology conservation of the 1859 buildings, the barrier free design modifications and the concrete slab repairs projects in the amount of \$108,075 plus applicable Goods and Service Taxes of \$7,565 to a total of \$115,640, as the most closely qualified and acceptable of two (2) invited and pre-qualified bids received in accordance with Request For Proposals issued; and,
 - (b) That a contract be entered into satisfactory to the City Solicitor; and,
 - (c) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City; and,
 - (d) That Director of The Department of Culture and Recreation be authorized to carry and expense a maximum of \$21,360 to cover any unforeseen site conditions which may affect the project scope; and,
 - (e) That the work, including the contingency, be financed proportionately from the following Capital Accounts: Steam Museum Pumpouse Restoration (Cost Share Account) CF 719241003, Barrier Free Access, All City Buildings (M1610101), CF 809453005, Risk Management, Various C&R Facilities, CF 709755034.

8.
 - (a) That approval be given to issue a Purchase Order to UMA Engineering Ltd. of Mississauga, Ontario as the selected firm to conduct the Engine(s) Restoration work at The Hamilton Museum of Steam and Technology as per the restoration scope of work in the Federal Cost Share Programme, in the amount of \$450,000 plus applicable Goods and Service Taxes of \$31,500 to a total of \$481,500, as the most closely qualified and acceptable of two (2) invited and pre-qualified bids received in accordance with Request For Proposals issued; and,
 - (b) That a contract be entered into satisfactory to the City Solicitor; and,
 - (c) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City; and,
 - (d) That the work, including the contingency, be financed from Capital Account: Steam Museum Pumphouse Restoration (Cost Share Account) CF 719241003.
9.
 - (a) That the Director of Culture and Recreation be authorized to develop a Christmas Positively Downtown Promotion in conjunction with other stakeholders to an upset limit of \$10,000; and,
 - (b) That this expenditure be financed from the surplus funding remaining in the summer Positively Downtown promotion, Account No. CH55303 78009.
10.
 - (a) That the Director of Culture and Recreation be authorized to contact both Federal and Provincial Government Departments in order to determine availability of grant funding for the 2000 International Children's Games Festival; and,
 - (b) That the Director of Culture and Recreation be authorized to develop a strategic plan for the development and hosting of these Games with the Hamilton Committee of the International Children's Games and other stakeholders for consideration by Committee at its January 1998 meeting; and,
 - (c) That Council express its appreciation to Mr. John Kiriakopolous for his efforts in achieving approval, in principle, for Hamilton to host the millennium International Children's Games.

11. (a) That a purchase order be issued to Sona Construction Limited, Hamilton, Ontario in the amount of \$243,666 plus applicable taxes and contingency for a total of \$282,122.62 for the T. B. McQuesten Park Multi-Purpose Building being the lowest acceptable tender received in accordance with specifications C16-4597 issued by the Purchasing Division and vendor's tender, and be financed from Capital Funds Account No. CF 5010 629254005 - T. B. McQuesten Park Development; and,
- (b) That a contract satisfactory to the City Solicitor be entered into between the City and Sona Construction Limited of Hamilton, Ontario; and,
- (c) That the Mayor and City Clerk be authorized to execute the associated contract in a form satisfactory to the City Solicitor.
12. (a) That the City acquire the 4.45 acre former Forest Avenue Rail Yard from CP Rail (formerly The Toronto, Hamilton and Buffalo Railway Company Limited) for the purchase price of \$1,100,000 for purposes of a park in the Corktown Neighbourhood; and,
- (b) That the Commissioner of Public Works and Traffic be authorized and directed to retain a consultant specializing in environmental site assessment and remediation:
 - (i) to advise on the definition of the appropriate residential standard/condition of the property against which CP Rail's remediation work on the site prior to the City's purchase shall be measured; and,
 - (ii) to review existing Phases 1 and 2 Environmental Assessments of the site, comment on their completeness and appropriateness for purposes of the City's intended park use; and,
 - (iii) to inspect CP Rail's site cleanup/remediation work to ensure it is carried out in compliance with the City's requirements as specified in our Offer's conditions prepared pursuant to the expert advice received from our consultant. At a minimum this work would have to meet the MOEE land use guidelines for park uses; and,
- (c) That an Offer To Purchase the said Rail Yard from CP Rail (and its lessee, The Toronto, Hamilton and Buffalo Railway Company Limited) be executed by the Mayor and City Clerk in a form satisfactory to the City Solicitor incorporating the following conditions:

- (i) land described as Parts 1, 2 and 3 on Plan 62R-12786, comprising 1.80 hectares (4.45 acres); and,
 - (ii) purchase price \$1,100,000; deposit \$225,000; and,
 - (iii) as purchase price on premise that site will be put in a condition suitable for residential use, City's purchase is conditional upon the Vendor, CP Rail, at its expense remediating the property to the applicable environmental standard; and,
 - (iv) the applicable environmental standard shall be the standard determined and fixed by the City's environmental consultant and included as a condition in the said proposed Offer; and,
 - (v) the Vendor preparing and submitting for approval of the City Clerk an environmental remediation work plan at a cost not to exceed \$5,000, to be financed from the Capital Budget for the Acquisition of CP Lands, Account Centre CF 409750010; and,
 - (vi) the City and its consultant having the right to inspect the property for compliance with the environmental condition required in our Offer; and,
 - (vii) assuming the Vendor has fulfilled the City's conditions, closing of the purchase shall be on 1998 February 26; and,
- (d) That the purchase price of \$1,100,000 and the costs of the consultant be financed from the Capital Budget for the Acquisition of CP Lands, Account Centre CF 409750010.
13. (a) (i) That the property owned by the City of Hamilton on Edgewater Crescent, Burlington, being Parts 1, 2, 3 and 4 on Plan 92-1095-2 prepared by MacKay, MacKay & Peters Limited, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
- (ii) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law; and,

- (b) (i) That an Offer to Purchase part of the Edgewater Crescent property for the price of \$8,753, executed by F. W. Dunton and M. Dunton and M. R. Stanbury, dated 1997 October 7, be accepted. The said land has an area of 187.26 square metres (2,015.71 square feet) more or less, being Part 2 on Plan 92-1095-2 prepared by MacKay, MacKay & Peters Limited, said transaction scheduled to close on 1998 January 16. Funds derived from this sale be credited to Account No. CH4X501 00201 (5% Park Dedication Fund); and,
- (ii) That the required deposit cheque in the amount of \$875 be held by the City Treasurer pending Council approval; and,
- (iii) That the Offer be approved subject to a clause which states:
 - (1) that the herein transaction be conditional until closing upon the contemporaneous closing of Parts 1, 3 and 4, respectfully on Plan 92-1095-2 prepared by MacKay, MacKay & Peters Limited. In the event that any one of the transactions set out above does not close, the herein transaction shall be at an end and the deposit shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs; and,
- (iv) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (1) satisfactory notice has been given to the public of the intended sale; and,
 - (2) an appraisal of the fair market value of the real property intended to be sold was obtained on 1997 October 21; and,
- (c) (i) That an Offer to Purchase part of the Edgewater Crescent property for the price of \$8,753, executed by J. E. Pickfield, dated 1997 October 7, be accepted. The said land has an area of 267.91 square metres (2,883.8 square feet) more or less, being Part 3 on Plan 92-1095-2 prepared by MacKay, MacKay & Peters Limited, said transaction scheduled to close on 1998 January 16. Funds derived from this sale be credited to Account No. CH4X501 00201 (5% Park Dedication Fund); and,
- (ii) That the required deposit cheque in the amount of \$875 be held by the City Treasurer pending Council approval; and,

- (iii) That the Offer be approved subject to a clause which states:
 - (1) that the herein transaction be conditional until closing upon the contemporaneous closing of Parts 1, 2 and 4, respectfully on Plan 92-1095-2 prepared by MacKay, MacKay & Peters Limited. In the event that any one of the transactions set out above does not close, the herein transaction shall be at an end and the deposit shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs; and,
- (iv) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (1) satisfactory notice has been given to the public of the intended sale; and,
 - (2) an appraisal of the fair market value of the real property intended to be sold was obtained on 1997 October 21; and,
- (d)
 - (i) That an Offer to Purchase part of the Edgewater Crescent property for the price of \$3,742, executed by D. I. McIntyre and B. A. McIntyre, dated 1997 October 7, be accepted. The said land has an area of 104.09 square metres (1,120 square feet) more or less, being Part 1 on Plan 92-1095-2 prepared by MacKay, MacKay & Peters Limited, said transaction scheduled to close on 1998 January 16. Funds derived from this sale be credited to Account No. CH4X501 00201 (5% Park Dedication Fund); and,
 - (ii) That the required deposit cheque in the amount of \$370 be held by the City Treasurer pending Council approval; and,
 - (iii) That the Offer be approved subject to clauses which state:
 - (1) that the herein transaction be conditional until closing upon the contemporaneous closing of Parts 2, 3 and 4, respectfully on Plan 92-1095-2 prepared by MacKay, MacKay & Peters Limited. In the event that any one of the transactions set out above does not close, the herein transaction shall be at an end and the deposit shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs; and,

- (iv) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (1) satisfactory notice has been given to the public of the intended sale; and,
 - (2) an appraisal of the fair market value of the real property intended to be sold was obtained on 1997 October 21; and,
- (e) (i) That an Offer to Purchase part of the Edgewater Crescent property for the price of \$8,753, executed by B. Golda and M. Syty-Golda, dated 1997 October 7, be accepted. The said land has an area of 283.31 square metres (3,049.62 square feet) more or less, being Part 4 on Plan 92-1095-2 prepared by MacKay, MacKay & Peters Limited, said transactions scheduled to close on 1998 January 16. Funds derived from this sale be credited to Account No. CH4X501 00201 (5% Park Dedication Fund); and,
- (ii) That the required deposit cheque in the amount of \$875 be held by the City Treasurer pending Council approval; and,
- (iii) That the Offer be approved subject to a clause which states:
 - (1) that the herein transaction be conditional until closing upon the contemporaneous closing of Parts 1, 2 and 3, respectfully on Plan 92-1095-2 prepared by MacKay, MacKay & Peters Limited. In the event that any one of the transactions set out above does not close, the herein transaction shall be at an end and the deposit shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs; and,
- (iv) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (1) satisfactory notice has been given to the public of the intended sale; and,
 - (2) an appraisal of the fair market value of the real property intended to be sold was obtained on 1997 October 21.

14. (a) That approval be granted to the Hamilton Ringette Association to implement a three year repayment plan of outstanding ice rental fees to the City of Hamilton without impact upon their operating program; and,
- (b) That this repayment plan be subject to the approval of the City Treasurer; and,
- (c) That a contract for the repayment of funds be drafted in a form satisfactory to the City Solicitor.

Respectfully Submitted,

**ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary
1997 October 21st**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTEENTH** Report for 1997 and respectfully recommends:

1. (a) That approval be given to City Initiative 97-E, for further modifications to the established "A" (Conservation, Open Space, Park and Recreation) District regulations for Block "1" and the "M-13" (Prestige Industrial) District regulations for Block "2", to delete a miniature golf course as a permitted use, for lands located at No. 467 Charlton Avenue East, as shown on the attached map marked as Appendix "A", on the following basis:
 - (i) That the special provisions contained in Section 2. of By-law No. 87-309, applicable to the "A" (Conservation, Open Space, Park and Recreation) District regulations for Block "1", and the "M-13" (Prestige Industrial) District regulations for Block "2", be deleted; and,
 - (ii) That the Director of Planning and Development be directed to prepare a By-law, in a form satisfactory to the City Solicitor, to amend Zoning By-law No. 6593 and Zoning District Map E-14 for presentation to City Council; and,
 - (iii) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2. (a) That the Corktown Neighbourhood Plan, 1997 Update attached hereto and marked Appendix "B", be adopted; and,
- (b) That the Corktown Implementation Project List, as outlined in the Corktown Neighbourhood Plan, be forwarded to the appropriate departments for implementation with co-ordination of the implementation plan overseen by the Planning and Development Department.

3. That Official Plan Amendment No. 145, Chedoke Terrace Inc., owner, for a redesignation from Industrial to Residential on Schedule "A" - Land Use Concept and to establish a "Special Policy Area" in the Official Plan, to permit the development of the lands for 172 townhouse units, for the property located at No. 100 Beddoe Drive (Lapp property), as shown on the attached map marked as Appendix "C", be DENIED for the following reasons:
- (a) the design of the "U" shaped building has the effect of creating a walled off community and there may be other design alternatives;
 - (b) there is only one access to the site;
 - (c) there are safety concerns given the site's proximity to the Public Works yard and Rail yard and furthermore, these uses are designated for industrial uses; and,
 - (d) the site is isolated from the rest of the community. **REFERRED BACK.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen McCulloch, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -11

NAYS: Aldermen Kiss, Caplan, Drury, Copps. -4.

CARRIED.

4. (a) That a McMaster University Area Neighbourhood Task Force be established for the purpose of reporting back to the Planning and Development Committee with recommendations to address the concerns of the McMaster University area Neighbourhood; and,
- (b) That this Task Force consist of representatives from the McMaster University Neighbourhood Working Group, the two Ward Aldermen, the City's Law Department, Building Department and Planning Department and the Fire Department. **AMENDED.**
5. (a) That as part of the 1998 Capital Budget Review Process, a submission be made in the amount of \$95,000 for the preparation of a Downtown Secondary Plan; and,

- (b) That the Director of Planning and Development initiate and co-ordinate the formation of a staff resource team comprised of representatives from appropriate City Departments to oversee the preparation of the Capital Budget Submission, Terms of Reference and the preparation of the Downtown Secondary Plan.
- 6.
- (a) That approval be given to Zoning Application 97-32, Rosart Properties, owner, requesting a removal of the "H" (Holding) symbol provision under Section 36(1) of the Planning Act, R.S.O., 1990, to allow for the development of the subject lands as a commercial development located at 1468 - 1530 Upper James Street, shown on the attached map marked as Appendix "D"; and,
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 as amended by By-law Nos. 97-139 and 91-143, for presentation to City Council.
- 7.
- (a) That approval be given to the request of J. Parente, Solicitor, for 200 Rymal Road Inc., owner, to amend By-law No. 208, a By-law to remove part-lot control from Registered Plan 62M-823 "Allison Estates - Phase 4", as shown on Appendix "E"; and,
 - (b) That the City Solicitor be directed to prepare a By-law to amend Section 1. of By-law No. 97-208, to remove part lot control from Block 18, Registered Plan 62M-823 "Allison Estates - Phase 4" plan of subdivision, for presentation to City Council; and,
 - (c) That following enactment of this By-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the By-law and endorse the same on the By-law.
8. That the Building Commissioner be authorized to issue a demolition permit for 555 Kenilworth Avenue North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
9. That the Building Commissioner be authorized to issue a demolition permit for 13 Frederick Avenue in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

10. (a) That approval be given to Official Plan Amendment No. 143 to redesignate the subject lands from "Major Institutional" (front portion of the site) and "Open Space" (rear portion of the site) to "Residential" as shown on the attached marked as Appendix "F", for the property municipally known as No. 220 Dundurn Street South, and the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth; and,
- (b) That approval be given to Zoning Application 97-26, Alexander Street Lofts Development Corporation, prospective owner, requesting a change in zoning from "D" (Urban Protected Residential District - One and Two Family Dwellings, etc) District to "DE" -'H' (Low Density Multiple Dwellings - Holding) District modified, to permit the conversion and expansion of the existing building for 60 apartment units, for the property located at No. 220 Dundurn Street South, shown on the attached map marked as Appendix "G", on the following basis:
 - (i) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., 1990, to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed Zoning Districts. The holding provision will prohibit the development of the subject lands until:
 - (1) Submission of a signed Record of Site Condition (RSC) to the Region and the Ministry of Environment and Energy (MOEE). This RSC must be to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the MOEE; and,
 - (2) Submission to the satisfaction of the Region of studies which demonstrate that the development will not be adversely affected by noise, dust and odour, and if necessary, a justifying impact assessment; and,
 - (3) Submission to the satisfaction of the Region of a noise feasibility study prepared by a qualified professional, with said study containing an investigation of the noise levels impacting the proposed development, and the necessity for noise control measures.

Removal of the holding restriction shall be conditional upon completion of a noise feasibility study, a study demonstrating the development will not be adversely affected by noise, odour, dust and vibration and the signed Record of Site Condition to the satisfaction of the Region and the Ministry of Environment and Energy. City Council may remove the 'H' symbol, and thereby give effect to the "DE" District provisions as stipulated in this By-

law by enactment of an amending By-law once the conditions are fulfilled; and,

- (ii) That the subject lands be rezoned from "D" (Urban Protected Residential District - One and Two Family Dwellings, etc) District to "DE" (Low Density Multiple Dwellings, etc.) District; and,
- (iii) That the "DE" (low Density Multiple Dwellings) District, as contained in Section 10A of Zoning By-law 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (1) That notwithstanding Section 10A(2), the height of the building shall not exceed 4 storeys and 18 m; and,
 - (2) That notwithstanding Section 10A(3), additions over the existing foundation shall maintain the existing front and side yard setbacks; and,
 - (3) That notwithstanding Section 18(4)(ii), two accessory structures, for the exclusive use of people residing at No. 220 Dundurn South, shall be permitted provided that:
 - (a) One accessory structure, not exceeding 165 m² in area, may be used for the purposes of storage, a garden shed, and woodworking area; and,
 - (b) One accessory structure not exceeding 275 m² in area, may be used for the purposes of storage, locker/change room, washroom facilities, and amenity area; and,
 - (4) That notwithstanding Section 18(4)(iii), the height of an accessory structure shall not exceed 6.0 m; and,
 - (5) That notwithstanding Section 18 (4)(iv), a minimum 9.0 m southerly side yard setback shall be provided and maintained for an accessory structure; and,
- (iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1391, and that the subject lands on Zoning District Map W-23 be notated S-1391; and,

- (v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-23, for presentation to City Council; and,
 - (vi) That the proposed modification in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 143 by the Regional Municipality of Hamilton-Wentworth; and,
 - (vii) That upon finalization of the implementing zoning By-law, the Kirkendall Neighbourhood Plan be amended by redesignating the subject lands from "Civic and Institutional" (front portion) and "Open Space" (rear portion) to "Medium Density Apartments".
11. (a) That approval be given to Official Plan Amendment No. 144 to establish a Special Policy Area to permit a physiotherapy clinic within the "Residential" designation for property known municipally as 245 Mohawk Road West and that the City Solicitor be directed to prepare the By-law of Adoption for submission to the Regional Municipality of Hamilton-Wentworth; and,
- (b) That approval be given to amended Zoning Application ZAC-97-22, Kaz Kusmierczak, prospective owner, for a modification in zoning to the established "C" (Urban Protected Residential, etc.) District regulations for lands located at 245 Mohawk Road West, as shown on the attached map marked as Appendix "H", to permit a physiotherapy clinic within the existing building, on the following basis:
- (i) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances, as special requirements:
 - (1) That notwithstanding Section 9.(1) of Zoning By-law No. 6593, a physiotherapy clinic within the building existing at the date of the passing of the By-law and a 75 square metre addition to the existing building shall be permitted; and,
 - (2) That notwithstanding Section 9.(3)(i) of Zoning By-law No. 6593, a front yard of a depth of at least 5.5 metres shall be provided and maintained; and,

- (3) That notwithstanding Section 9.(3)(iii) of Zoning By-law No. 6593, a minimum rear yard of a depth of at least 2.6 m shall be provided and maintained for a one storey building; and,
 - (4) That notwithstanding Section 18A.(1)(a) of Zoning By-law No. 6593, a minimum of 21 parking spaces shall be provided and maintained; and,
 - (5) That notwithstanding Section 18A.(5)(c) of Zoning By-law No. 6593, "floor area" means the area contained within the perimeter of the building at each floor level, including storeys below grade; and,
 - (6) That notwithstanding Section 18A.(11)(a) of Zoning By-law No. 6593, the parking area shall be not less than 1.1 m from the westerly side lot line; and,
 - (7) That notwithstanding Section 18A.(11)(b) of Zoning By-law No. 6593, the parking area shall be not less than 5.8 m from the northerly front lot line; and,
 - (8) That notwithstanding Section 18A.(1)(d) of Zoning By-law No. 6593, a loading space shall not be required for a physiotherapy clinic; and,
 - (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1392, and that the subject lands on Zoning District Maps W-9 and W-17 be notated S-1392; and,
 - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-9 and W-17 for presentation to City Council; and,
 - (c) That Site Plan Control By-law No. 79-275, as amended by By-law 87-233, be amended by adding the subject lands to Schedule "A".
12. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) C-73 A By-law to Amend Zoning By-law No. 87-309 Respecting Lands Located at Municipal No. 467 Charlton Avenue East.
 - (b) C-74 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 787-791 Barton Street East.

1997 October 28

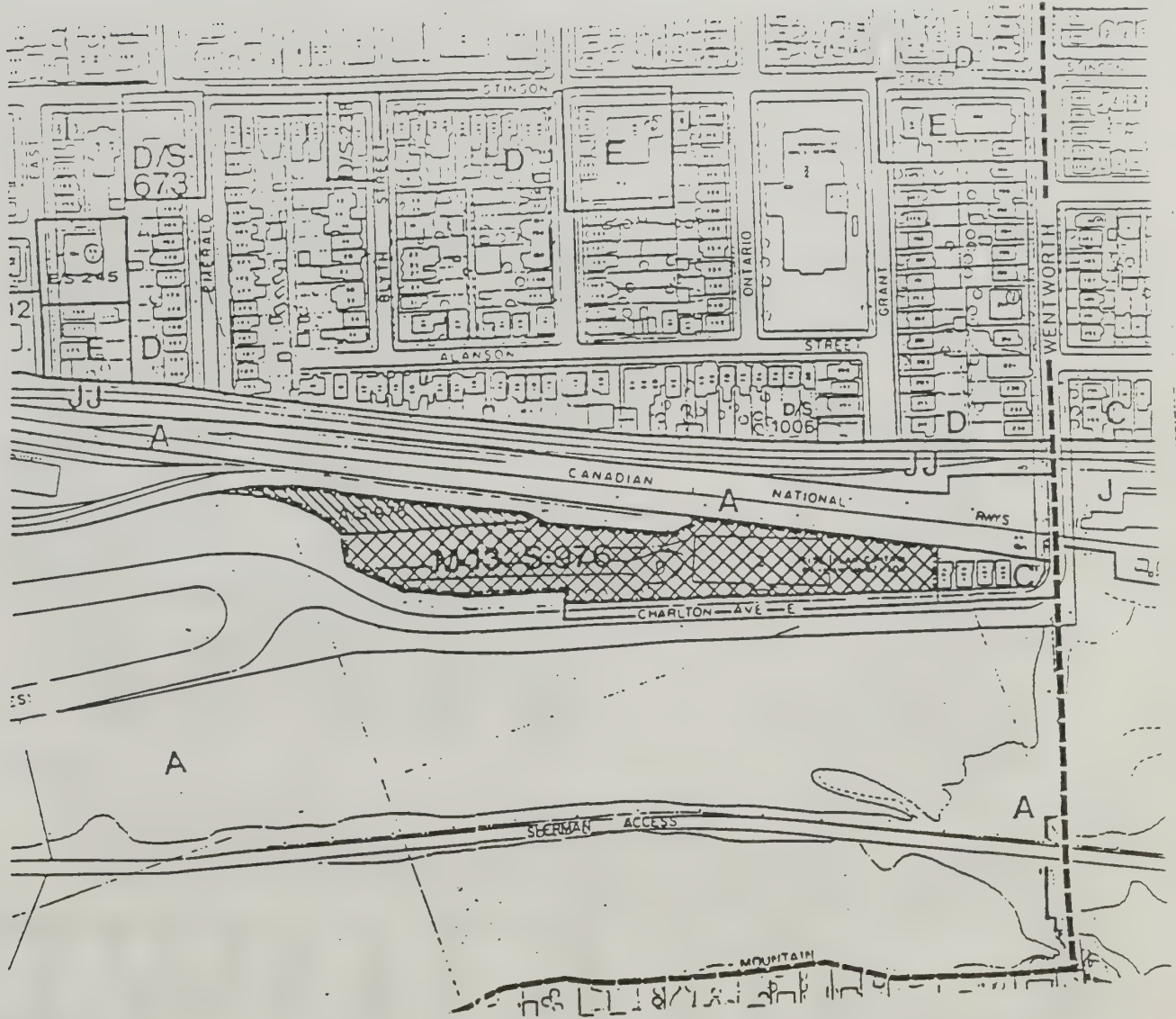
- (c) C-75 A By-law to Adopt Official Plan Amendment No. 143 Respecting Lands Located at Municipal No. 220 Dundurn Street South Within the Kirkendall North Neighbourhood.
- (d) C-76 A By-law to Amend Zoning By-law 6593 as Amended by By-law Nos. 91-143 and 97-139 Respecting Lands Located at Municipal Nos. 1468 -1530 Upper James.
- (e) C-77 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 87, 89, 91, 93 and 95 Wellington Street North and No. 216 Wilson Street.
- (f) C-78 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located South of Rymal Road West, North of the City of Hamilton/Township of Glanbrook Municipal Boundary, West of Upper Wellington Street and East of Springside Drive.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Susan K. Reeder
Acting Secretary
1997 October 21**

1997 October 29



Legend

- Proposed Further Modification to the Established :**
- BLOCK 1  "A" (Conservation, Open Space, Park and Recreation) District.
- BLOCK 2  "M-13" (Prestige Industrial) District.

Reference File No.

CI-97-E

Drawn By	Date
R.L.	Sep. 1997

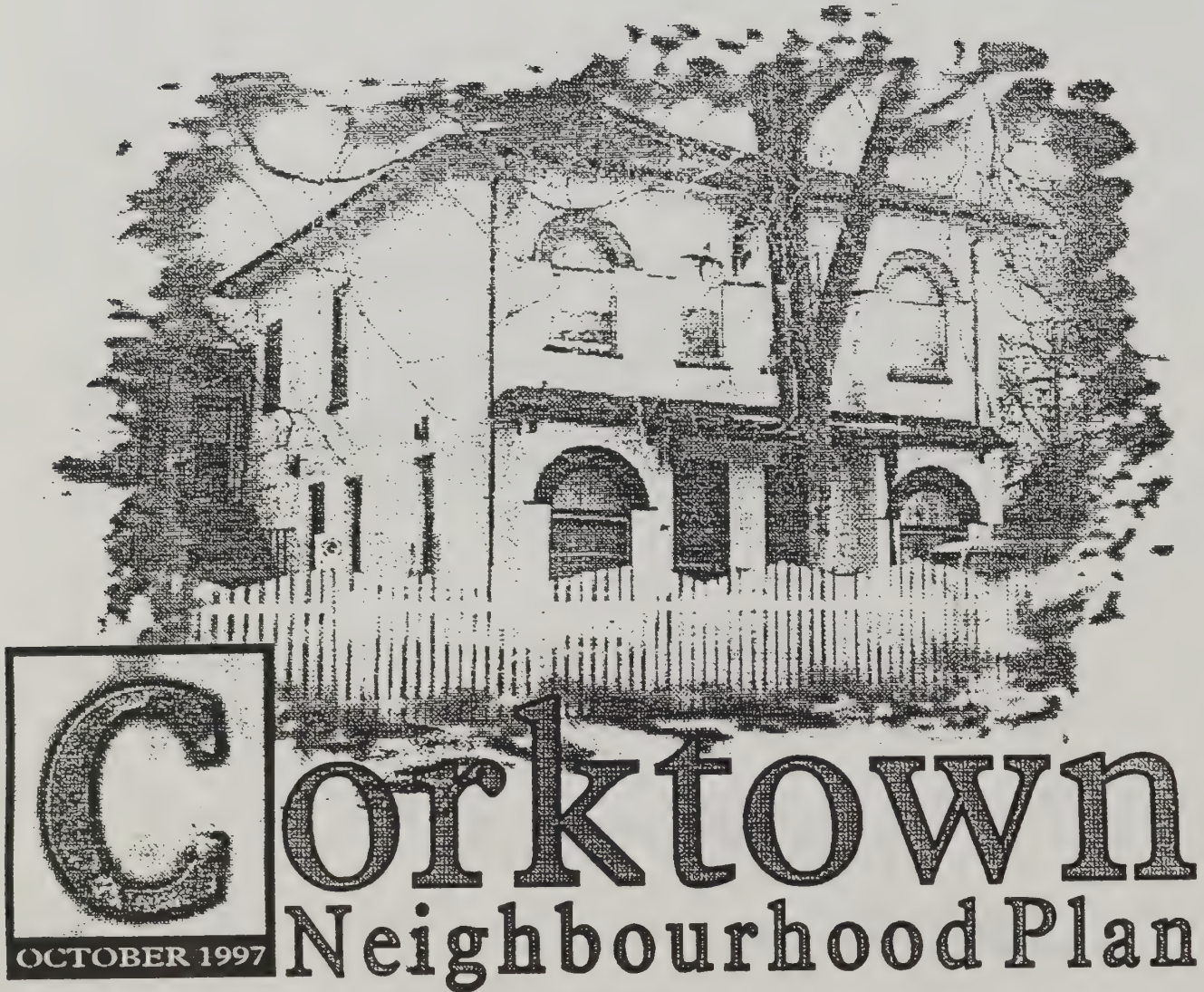
Scale

Not to Scale

North



1997 October 28



Corktown

Neighbourhood Plan

CORKTOWN NEIGHBOURHOOD PLAN

CONTENTS

INTRODUCTION

1. Corktown Neighbourhood
2. Neighbourhood Planning Program
3. Neighbourhood Plans
4. The Corktown Planning Context

THE NEIGHBOURHOOD PLAN

5. Purpose of the Plan
6. Land Use (Map 1)
7. Population and Density (Map 1)
8. Neighbourhood Form and Building Heights (Map 2)
9. Residential Tenure
10. Greening
11. Pedestrian Links and Trails (Map 2)
12. Vehicular Traffic and Parking
13. Transit
14. Street Design
15. Lighting
16. Signs and Identity
17. Heritage (Map 3)
18. Residential Demolitions
19. Aesthetics (Map 3)
20. Community Participation
21. Neighbourhood Promotions and Events
22. Monitoring and Review

Planning and Development Department, October 1997

INTRODUCTION

1. Corktown Neighbourhood

Corktown is one of 137 neighbourhoods in Hamilton. It stretches from Main Street East to the Niagara Escarpment Brow and from James Street South to Wellington Street South. It contains the south east quadrant of the City of Hamilton's downtown. Over 6,300 people live in the 186 acres which make up the Corktown neighbourhood.

Corktown was one of the earliest settlement areas in Hamilton. Original development consisted of two storey brick row, semi and detached houses with porches at the front and alleyways at the back. Houses were set close to tree lined streets. Substantial portions of Corktown retain the historic, human scale character. Designers are currently recreating this type of character with new projects across North America. Downtown development, in the north and west of the neighbourhood, consists mainly of offices, restaurants and car parks. At the south end of the neighbourhood is the Niagara Escarpment, the garden of Corktown.

Downtown provides excellent accessibility to services, employment and transportation. However, the proximity of downtown has, over the years, impacted neighbourhood cohesiveness. There are large areas of surface level parking on the edge of the downtown, high rise apartments scattered through the neighbourhood, high concentrations of rental accommodation, and arterial roads and railways cutting through the neighbourhood.

2. Neighbourhood Planning Program

In the early 1970s, the City of Hamilton started a planning program in developed neighbourhoods focusing initially on the inner city. The public, as interested parties, (stakeholders), were involved in the process from an early stage through the formation of advisory committees.

The first plan for Corktown was completed in 1973. The current review uses essentially the same process. However this plan includes the following additional features:

- a) a visioning process to find out how the stakeholders would like future development to unfold. Committee members discussed strengths and weaknesses of opportunities for and threats to the neighbourhood;
- b) emphasis on urban design and 3 dimensional form in addition to land use.

The content and format of the neighbourhood plan in the new Official Plan will be determined through the ongoing Official Plan review process with input from the Corktown community.

3. Neighbourhood Plans

Neighbourhood Plans deal with details of future land use, urban design, movement and amenity improvements in the form of goals and policies. Neighbourhood Plans are prepared to create investment opportunities and to help the community's management of the environment, the economy and social needs.

4. The Corktown Planning Framework

Neighbourhood needs and desires have to be blended with the broader needs and desires of the City, the Region and the Province. Provincial Planning Policies and the Niagara Escarpment Plan provide a Provincial framework. Vision 2020 and the Hamilton-Wentworth Official Plan provide the Regional framework. The City's Official Plan and the Central Area Plan provide the City of Hamilton's framework. The City's Official Plan provides for neighbourhood planning so that the needs and desires of the community can be married to the broader planning framework.

Recent planning work for downtown Hamilton has identified the need for the creation of a separate downtown neighbourhood. The downtown neighbourhood may include parts of four existing neighbourhoods: Durand, Central, Beasley, and Corktown. The updated Corktown Neighbourhood Plan will be part of the planning framework for the downtown neighbourhood. It is expected that the policies contained in this plan will be revised and updated as a result of the downtown neighbourhood planning exercise. The neighbourhood associations will be consulted in the process of defining the downtown neighbourhood and developing its plan.

THE NEIGHBOURHOOD PLAN

5. Purpose of the Plan

The purpose of the plan is to create, over the next 15 years and beyond, a Corktown that is attractive, affordable and accessible; is clean, green and cohesive; is stable, livable and economically viable; has a strong identity and enhances the image of Hamilton; and has stakeholders actively involved in making decisions about the future of Corktown.

6. Land Use (Map 1)

Corktown Neighbourhood should provide for the needs of the community and give those who use it a sense of well being. As a downtown neighbourhood, special attention should be given to efficiency and attractive image to support and strengthen Hamilton's downtown. The role of the four functional areas (Downtown, Transition, Neighbourhood Residential, Escarpment) in Corktown Neighbourhood should be reinforced. Intensive mixed use development and an increase in residential use in the Downtown area will help the whole of the downtown to thrive and to support City and Region wide services. Residential use in this part of the downtown is particularly suitable because of the good access to downtown facilities, employment and transit.

The Neighbourhood Residential area contains, in addition to housing, some neighbourhood commercial business as well as parks and an elementary school. Whereas there is a satisfactory provision for neighbourhood parks, elementary school and neighbourhood commercial, there is a critical need in this area for playing fields to serve Corktown and

nearby neighbourhoods. Limitation of commercial uses serving more than the Neighbourhood Residential area will reduce the impact of vehicular traffic in this area. These Commercial uses can be diverted to the Transition area with James Street South and John Street South acting as commercial service areas. The Transition area between the downtown and neighbourhood residential is a buffer area and contains both downtown uses and neighbourhood uses as well as facilities which serve several neighbourhoods and in some cases a wider hinterland eg. St. Joseph's Hospital. Mixed use, sensitive to impact of the Neighbourhood Residential area, are also appropriate in this area. The Escarpment area is a green link of Provincial importance which requires preservation and enhancement. (See Section 10).

Goal

The greatest intensity of use and additional residential will be in the Downtown and gradually diminish to the edge of the Neighbourhood Residential area which will be primarily residential with local parks, a new active playing field and an elementary school.

Policies

- a) Downtown development will be in mixed use form with significantly more residential use added, in line with the Central Area Plan policies adopted by City Council.
- b) Transition area development will usually be in mixed use form and with additional residential use. It will have minimal impact on the neighbourhood residential area. The conversion of older buildings in this area will retain some residential use.
- c) The Neighbourhood Residential development will be infilled on vacant lots and green areas around apartments, where possible, with predominantly street townhousing but also semi-detached and singles on lot sizes which follow the pattern in the locality.
- d) No further commercial uses, other than home occupations, will be permitted in the Neighbourhood Residential area except where designated. New commercial in the Neighbourhood Residential area will serve primarily the local population. Commercial uses will generally be directed to the adjacent Transition area and Downtown area.
- e) An active sports field will be provided on the Young Street, Ferguson Avenue South, Forest Avenue block. This area originally known as Sandhill is also known by the community as the Field of Dreams. It is a target to use all the land for recreational activity. Acquisition of this land and its development is the highest priority of this plan.
- f) a strong downtown will be supported.

- g) James St. South business district will be improved using its special character to promote its services and attract tourists. St. Joseph's Hospital will be supported in its current location;
- h) Preference for expansion of St. Joseph's Hospital would be east of John Street South.
- i) Queen Victoria Elementary School will be supported to remain in its current location and act as a principal community focus for the neighbourhood.
- j) Suitable zoning for institutional uses will be introduced so that in the event of relocation, the community is not faced with as of right development which undermines the policies of this plan.
- k) Once the Province establishes the ability for municipalities to implement a development permit system, a study should be undertaken to establish where the permit system would be appropriate in the City of Hamilton. Corktown Neighbourhood will be considered as a test project for implementation.
- l) implementation will be through the Planning and Development Department using the Planning Act; rezoning will be done by the Planning and Development Department balancing the rights of owners with community interests on an individual basis.

7. Population and Density (Map 2)

Increase in the residential population in the central area brings a higher level of services to the downtown. This benefits the Region, the City and Corktown. Increase in population also brings better local services. The continued depopulation of the neighbourhood makes it more difficult to maintain commercial and public services. The downtown also becomes weaker if population is lost. There are vacant and underutilized sites in Corktown suitable for housing and other uses.

The Downtown has the most potential for additional population although significant additional population can be added to the Transition (Map 1) area. The Neighbourhood Residential Area (Map 1) has the potential of limited population increase through infill development. No population exists in the Escarpment area.

Goal

Increase the population of Corktown particularly in the downtown area and on the edge of the downtown.

Policies

- a) Higher densities of population will be directed to the Downtown Area.
- b) Intermediate densities of population will be directed to the Transition Area.
- c) Lower densities of population will be directed to the Neighbourhood Residential area.
- d) No population will be permitted in the Escarpment Area.
- e) Implementation will be through the ongoing processing of planning applications under the Planning Act.

8. Neighbourhood Form and Building Heights (Map 2)

The heights of buildings are critical to ensure access to sunlight, privacy, views (especially from downtown to the escarpment), protection from wind tunnelling and streets whose buildings relate to the pedestrian (human scale). These items are particularly necessary with a north sloping neighbourhood, the Downtown to the north and the Escarpment to the south. Heights in the downtown portion should allow the steeple of St. Paul's (180 feet high) to dominate. Heights in the housing areas in the south and east of the neighbourhood should reflect the traditional low rise housing and allow mature trees to dominate the landscape. Heights should be graded between these two areas.

Goal

New buildings will be designed to be an attractive addition to the neighbourhood and to minimize their height impact on the neighbourhood. The views across the neighbourhood from the downtown to the Escarpment will be protected and improved.

Policies

- a) Heights of new buildings will be (subject to exceptions below) limited to a maximum of 3 storeys in the south and east, up to 6 storeys on a line from the new GO centre to Main and Wellington and up to 12 storey at Main and James.
- b) Heights will be graded between the 3, 6 and 12 story units on Map 2. Height limits in the Transition and Downtown Area will also be guided by impact on nearby developments and public spaces as a secondary consideration.
- c) Where buildings are being redeveloped and the current density would exceed the prescribed number of storeys, higher buildings with upper stories set back from the main building facade, will be permitted.

- d) New buildings will be designed to reduce heights as much as possible to have the appearance of reduced heights and to make a positive contribution to the overall neighbourhood streetscape. Design will be compatible with and reflect the traditional character of the neighbourhood in setbacks, materials and architectural features.
- e) New buildings, renovations and restorations will be of high quality in order to create a high standard of living environment.
- f) Implementation will be by the Planning and Development Department using the Planning Act; rezoning will be done by the Planning and Development Department balancing the rights of owners with community interests.

9. Residential tenure

The large number of apartment buildings contribute to an ownership rate less than one third the City of Hamilton average. The existing high rise have rental accommodation convenient for many who require affordable housing close to the downtown. However, the market for multiple rental units has diminished. New high rise residential blocks are no longer in demand and are generally opposed by Corktown residents. Increase in owner occupation will help stabilize the neighbourhood.

Goal

Move towards a better balance of rental and owner occupancy for residential buildings.

Policies

- a) New condominium apartments, street row townhouses, singles and semi-detached houses will be built to offset the imbalance between rental and ownership housing.
- b) Condominium conversions, from rental to owner occupancy will be used to offset the imbalance between rental and ownership housing subject to the policies of Council regarding the criteria for condominium conversions.
- c) Implementation will be by the Planning and Development Department using the Planning Act, Rental Housing Protection Act and other Provincial Statutes. Rezoning will be done by the Planning and Development Department balancing the rights of owners with community interests, on an individual basis.

10. Greening

Below the Claremont Access there is a band of woodland which extends into the residential area at the base of the escarpment (known locally as the 'Talus' area).

There is potential for the section of the Escarpment in Corktown to provide a spectacular backdrop to the downtown and wider area as well as providing a walking and trail system with excellent accessibility. There has been little environmental restoration of the Escarpment following the construction of the Jolley Cut and Claremont Access. Vehicular travel through the area could also be made more pleasing and dramatic.

Within the neighbourhood there are a number of park and street trees. There is potential for many more trees especially in and around the downtown. Trees have aesthetic, anti-pollution, wind mitigation and shade benefits.

Goal

To reforest and regreen the neighbourhood, building on existing landscaping and to restore the green link along the scarp face.

Policies

- a) The natural areas of the Niagara Escarpment, in the area of the Claremont Access and Jolley Cut will be enhanced through tree plantings, additional parks, gardens and natural areas. The area will look attractive from the Downtown, Corktown and from the roads crossing the Escarpment. It will be linked to and complement the Corktown open space system and Sam Lawrence Park at the Escarpment Brow. The great potential for the area to be a backdrop to a large portion of the City including the downtown will also complement the Royal Botanical Gardens as an image enhancing and tourist asset for the City.
- b) Street and park trees and shrubs will be supplemented with priority treatment given to car parks, vacant sites and to streets acting as pedestrian links.
- c) All new development will have high quality landscaping compatible with landscaping plans for the neighbourhood and in keeping with a high quality of environment which is appropriate in Corktown.
- d) Climbing vegetation will be used to cover concrete walls, particularly on the railway embankment, blank sides of buildings, etc.
- e) implementation will be through a landscaping design for the escarpment area and identification of additional planting areas.

11. Pedestrian Links and Trails (Map 3)

The existing and proposed parks will be more effective if connected by links to the existing trail systems eg. Bruce Trail and the Rail Trail at Wentworth Street. Ferguson Avenue has already been identified in the Ferguson Master Plan as a pedestrian link to the North End and

Harbourfront. A green link is needed between the proposed park and Carter Park/Central Memorial Recreation Centre so that a wishbone configuration can be created with one fork leading to Ferguson Avenue and the downtown and the other through the Field of Dreams and up to the Escarpment. A stronger link including possible road closures can be established if the rail line is closed. There will be a great opportunity for trails and better links across the railway embankment if the rail line is closed. However, there are no plans for closure at this time.

Goal

Establish an open space system with nodes and links throughout the neighbourhood.

Policies

- a) an open space system will be established in Corktown using parks, trails and streets with less traffic in accordance with Map 3.
- b) the Bruce Trail Association will be requested to provide a reconnected naturalized trail in Corktown Neighbourhood.
- c) a link from the new playing fields to Carter Park/Central Memorial Recreation Centre will be developed. The replacement of the Ferguson Avenue steps up the Escarpment connecting to the Bruce Trail will be included in improvement plans.
- d) the upgrading of Ferguson Avenue in accordance with the Ferguson Master Plan will be a priority of the plan.
- e) the neighbourhood's public areas will be designed to be fully accessible using urban braille guidelines and implemented over time. A pilot project for James Street south will be considered.
- f) an overall plan of streetscaping will be prepared (co-ordinated with traffic calming measures) bearing in mind the importance of making Corktown a desirable place to live, work and play.
- g) implementation will be through the Planning Department and Parks Division of Public Works with use of the parks budget.

12. Vehicular Traffic and Parking

James Street South, Main Street East, John Street South and Arkledun Avenue provide access for large volumes of through traffic. Charlton Street is a through traffic street passing the elementary school in the centre of the neighbourhood but is not a principal Regional road. John Street South and to a lesser extent, Charlton Avenue East form a barrier between

different parts of the neighbourhood. James Street South forms a barrier between Corktown and Durand and divides and weakens the James Street South business area. Local streets are car dominated and carry significant volumes of through traffic creating noise, pollution and a threat to safety.

Goal

To establish a road network within and adjacent to Corktown Neighbourhood that provides for through traffic movement at the periphery of the neighbourhood and safe residential streets that are primarily used by local traffic.

Policies

- a) a task oriented committee will be formed to address the issues of neighbourhood traffic, through traffic, the road network and its functions, on street parking, and traffic calming measures in Corktown Neighbourhood. The goal of this Committee is to identify measures and establish a program of implementation that will achieve the goals of this section of the Neighbourhood Plan.
- b) The through traffic function of James Street South, John Street South and Main Street East will be protected.
- c) The proposed rights of way road allowances will be reviewed to determine the necessity for taking additional land for the right of way when property is developed.
- d) Charlton Avenue East will be considered for downgrading to a local road and through traffic discouraged.
- e) John Street South and James Street South will have mechanisms to slow traffic, including consideration of on street non rush hour parking for their full length. However, the function of the roads as through traffic arteries will be maintained. Passage of buses and other public transport will be protected.
- f) Traffic calming techniques intended to slow traffic and increase safety will be used throughout the neighbourhood particularly on local roads. Easy passage of buses and other public transport will be protected.

13. Transit

Corktown is extremely well served by transit having the GO train and bus terminal, the Mountain access buses on James Street South and John Street South and the King and Main buses to the north of the neighbourhood.

Goal

Support for the retention of a high level of transit and improvement where appropriate.

Policies

- a) GO and other long distance carriers will be supported to increase transportation service from the GO centre for the downtown and neighbourhood areas.
- b) Aldershot and Burlington GO station will be supported to be used by car users to avoid attracting commuter traffic downtown and the provision of additional parking.
- c) HSR and other short distance carriers will be supported to continue to find ways to make their transportation better including serving streets in the neighbourhood not already served.
- d) A community activities notice board will be placed in the GO Centre with Corktown Notices maintained by the Corktown Neighbourhood Association.
- e) Implementation will be through GO, HSR and other carriers and the Corktown Implementation Committee.

14. Street Design

Currently, high density residential zoning discourages cohesive street design. The size of the development parcel determines front yard setbacks and the continuity of street 'wall' created by buildings. There should be an integration of the various elements which make up the street scene.

Goal

Ensure future development enhances the appearance of the street on which it fronts.

Policies

- a) New development will conform to street urban design guidelines including heritage protection building envelopes, accessible public spaces, signage, lighting, street furniture, established on a block by block basis with emphasis on focal points as appropriate.

- b) Urban design guidelines including architecture, sunlight, landscaping and building materials for streets where redevelopment has most potential eg. John Street South, James Street South, Hughson Street South, Jackson Street South and Hunter Street East will be a priority of this plan.
- c) Implementation will be by the Planning and Development Department who will set up a study process to create the Urban Design Guidelines.

15. Identity and Signs

The area outside the Downtown and Escarpment, ie. the Neighbourhood Residential and the Transitional area is considered a village within a City. Schools, parks, restaurants and pubs will be meeting places where people get to know their neighbours. The plaza on John Street South can be considered the Village Centre.

Street signs in the neighbourhood are standard Regional/City green and cream designs. Specially designed additions to street signs for Corktown Village and gateways would enhance Corktown's identity and supplement existing designs.

Goal

To give special identity to Corktown by providing focal points and by using signs, gateways and other means of signifying its Irish origin.

Policies

- a) All street name signs outside the downtown will be modified to add 'Corktown Village' a date and an emerald green shamrock motif.
- b) Such identification will be encouraged on other signs including private signs.
- c) LACAC will be requested to review the placement of historical markers for urban interpretation, buildings with historical significance, former names of streets, and the former Lake Iroquois shoreline.
- d) Gateways to Corktown eg. the bridge over Charlton Avenue and other bridges will be identified and designed as entrances to the neighbourhood and Corktown Village.
- e) The plaza area bounded by John Street South, Catherine Street South, Forest Street and Young Street will be identified and promoted as the Corktown Village Centre or Square.

- f) The local pubs will be given consideration for upgrading, sympathetic restoration and gearing more to the neighbourhood and families.
- g) Implementation will be through the design committee of the Central Area Plan Implementation Committee and Corktown Neighbourhood Association and co-ordinated by the Planning Department. The streetname signs will be reviewed by Traffic Divisions and Public Works Department and changes on Regional Roads be approved by Regional Council.

16. Lighting

Most of the lighting is high pressure sodium vapour lighting on tall poles. Lighting is geared to traffic in the neighbourhood. Some areas are inadequately lit according to a survey of the area as part of the Neighbourhood Plan process.

Goal

All roads will be well lit but Regional roads will have traffic oriented lighting and other areas will have pedestrian oriented lighting.

Policies

- a) Lighting will be upgraded for traffic and pedestrian safety as part of the ongoing upgrading and redevelopment process.
- b) Traffic oriented lighting will be maintained on arterial roads.
- c) Pedestrian oriented lighting eg. lower poles, more poles, less glow, attractive design reflecting traditional design, will, over time, replace the tall sodium vapour lights in the remainder of the neighbourhood to make streets more human scale and avoid light pollution, i.e. over lighting and allowing light to escape upwards.
- d) Lighting effects as part of the upgrading of the escarpment face will be considered.
- e) Implementation will be through the Public Works Department and the Traffic Calming Committee (see Policy 12a). A safety audit should be prepared through the Corktown Implementation Committee.

17. Heritage (Map 3)

Features of the neighbourhood which have architectural and historic importance give Corktown its unique character.

Goal

The important architectural and historic features of the neighbourhood will be retained, restored and enhanced.

Policies

- a) Heritage building designation will be at the request of the owner or where a building is threatened with demolition.
- b) Grants and loans for heritage purposes will be given where appropriate to buildings which are designated in order to restore heritage character.
- c) Listed buildings will be issued a demolition permit only when all avenues for saving them have been explored and a building permit for a replacement project has been issued.
- d) New development on streets with historic streetscapes (Map 3) will be designed to be in keeping with and sympathetic to architectural and historic character.
- e) Potential heritage districts (Map 3) where owners support the concept, will be prioritized along with other areas requesting studies. The potential areas include the Liberty Street area, the Augusta/Catherine area, James St. South, Freeman Place and the east end of Charlton Avenue East.
- f) Implementation will be through the Local Architectural Conservation Advisory Committee and the Planning and Development Department using the Heritage Act and the Planning Act.

18. Residential Demolitions

Older residential buildings provide affordable accommodation close to the downtown. Demolition reduces affordable housing and may result in vacant or underutilized land.

Goal

Affordable housing will be protected through demolition control in the Planning Act.

Policies

- a) Residential units will be retained wherever possible; the use of demolition control to ensure a building permit is issued for a replacement project prior to demolition is supported by the neighbourhood.
- b) Implementation will be through the Planning and Development Department and Building Department under the Planning Act.

19. Aesthetics

There are a number of unsightly areas in the neighbourhood including poorly maintained property, vandalized property, unpainted underpasses and garbage.

Goal

To improve the appearance of the neighbourhood through visual improvements and maintenance.

Policies

- a) Areas of opportunity for improvement will be dealt with as quickly as possible in order to improve the living environment and the image of Corktown.
- b) The areas identified as 'areas of opportunity', including sites awaiting development, will be improved through screening and site clean up (Map 3).
- c) Maintenance of buildings, streets and other public areas will be carried out to a high standard.
- d) Implementation will be done through the budget of the Public Works Department in liaison with the Planning and Development Department. Any work on private land will be in co-operation with the owner. Operation of the Property Standards by-law is through the Building Department.

20. A Community Participation

Community participation in planning decisions is prescribed under the Planning Act. However full participation from the earliest stage possible is expected by stakeholders in order to help resolve planning issues.

Goal

Public participation in planning decisions affecting Corktown will be as full and as early in the process as possible.

Policies

- a) The Corktown Neighbourhood Association and business organizations, (run as an independent group unless planning time can be provided by the Planning Department) will ensure the Corktown Neighbourhood Plan is implemented.
- b) The Corktown Neighbourhood Association, the James South Business Group and Corktown Neighbourhood Association will be notified of development applications in their area.
- c) Implementation will be done by the Corktown Neighbourhood Association (appointed by the community) in liaison with the Planning and Development Department.
- d) A program of implementation will be drawn up by the Planning and Development Department in conjunction with other Departments for use in the budget process so that projects can be implemented as soon as possible.

21. Neighbourhood Promotions and Events

The Neighbourhood Association represents the residential point of view of the neighbourhood. The James Street South Business Group represent the business interests of its area. The downtown area does not have a representative organization. There is a need to bring these interests together to promote a cohesive community through programs and events common to Corktown.

Goal

Form a cohesive and co-ordinated promotional and events program.

Policies

- a) That the various interests in the neighbourhood will be brought together to arrange neighbourhood wide events, sponsorships and promotions.
- b) Implementation will be done by the Corktown Neighbourhood Association through work with government and other agencies.

22. Monitoring and Review

Monitoring statistics and reviewing the plan are essential to keep it on track and up to date.

Goal

The Corktown Neighbourhood Plan will be monitored and reviewed as needed.

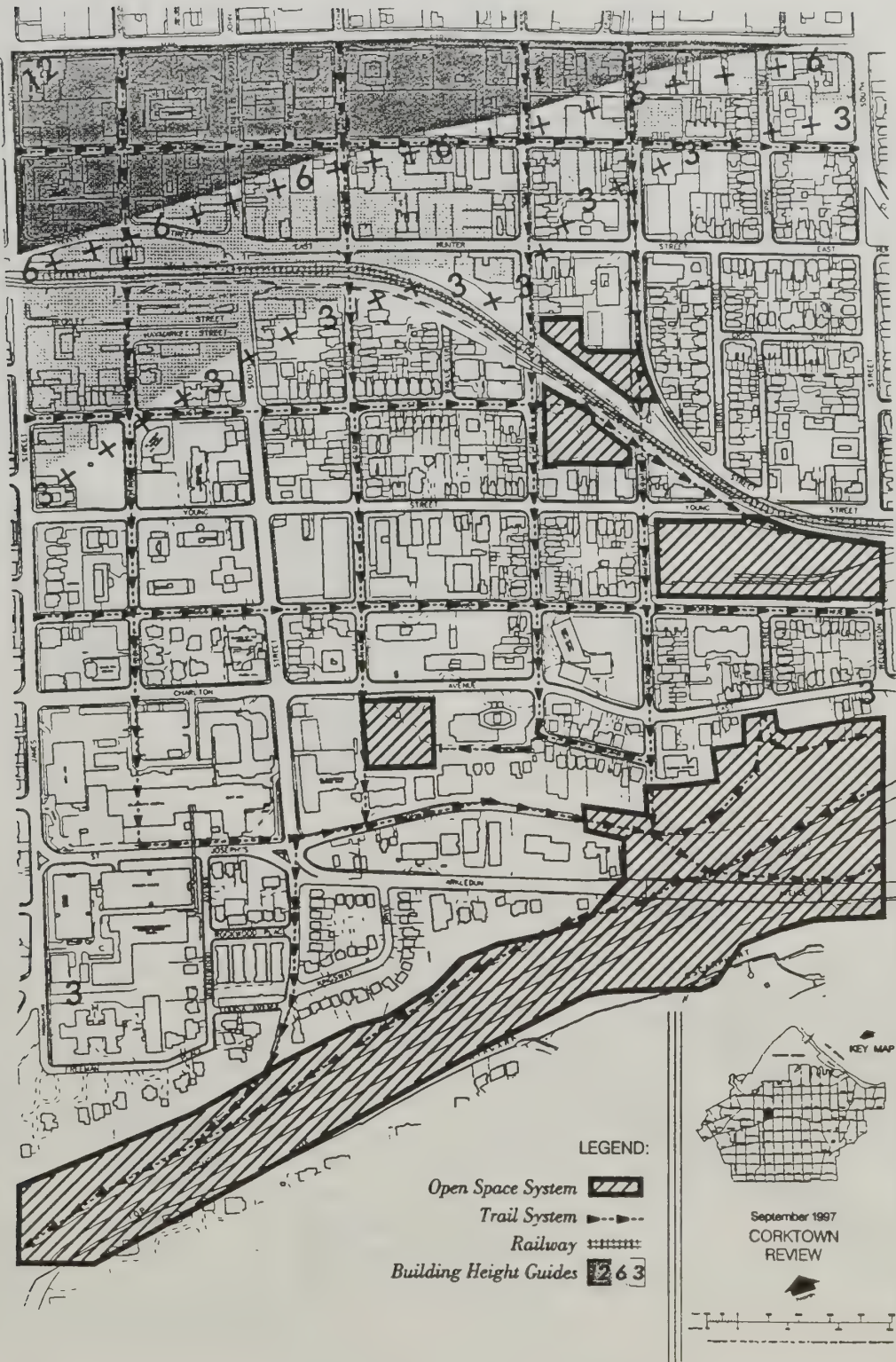
Policies

- a) Statistics and issues will be monitored when new information is released from the census and/or assessment.
- b) A review of the plan and its implementation will be done at the time the statistical monitoring is done. This review will include development details, program expenditures, implementation projects and their status, and the statistical review.
- c) Amendments to the Plan can take place at anytime through the normal process of Neighbourhood Plan or Official Plan Amendment and stakeholder involvement.
- d) All enforcement will be done as quickly as possible. Consideration will be given to the effects on the health of the business areas when regulations are developed and implemented.
- e) Implementation will be through the Corktown Neighbourhood Association, the Planning and Development Department, and the Building Department.
- f) Maps are for guideline purposes and minor adjustments to the land use designations will be permitted provided the intent of the neighbourhood plan is maintained.

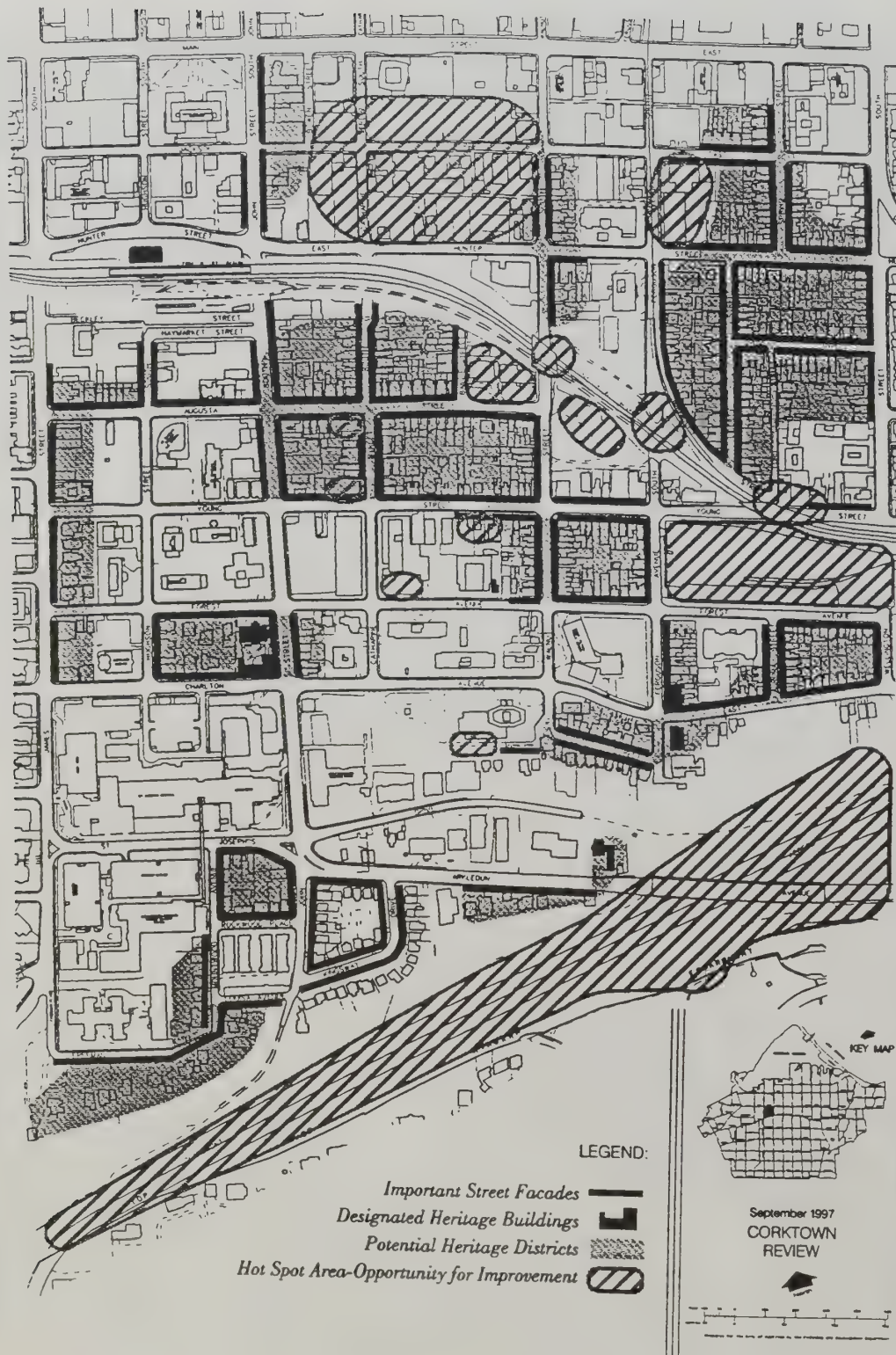


LAND USE MAP 1

CORKTOWN REVIEW



CORKTOWN REVIEW OPEN SPACE AND TRAILS MAP 2



CORKTOWN REVIEW

URBAN DESIGN MAP 3

Corktown Neighbourhood Plan
Action Chart

Project #	Actions	Adopted With Plan	Ongoing	Timing	Implementors
PROJECTS					
C1	Acquisition of the CP Yard for Parks Purposes		X	Short Term	Parks Staff Committee
C2	Landscaping Plan to enhance the Escarpment Natural Area		X	Medium Term	Public Works and Traffic Department; Corktown Neighbourhood Association
C3	Development of Link between Carter Park and Central Memorial Recreation Centre.		X	Short Term	Public Works and Traffic Department
C4	Urban Braille Project for James Street South.		X	Medium Term	Public Works and Traffic Department
C5	Streetscaping Plan for Neighbourhood		X	Medium Term	Public Works and Traffic Department
C6	Corktown Street Signs		X	Short Term	Public Works and Traffic Department
C7	Clean up and screening program - areas of opportunity		X	Medium Term	Corktown Neighbourhood Association
C8	Establishment of a neighbourhood promotional program		X	Medium Term	Corktown Neighbourhood Association

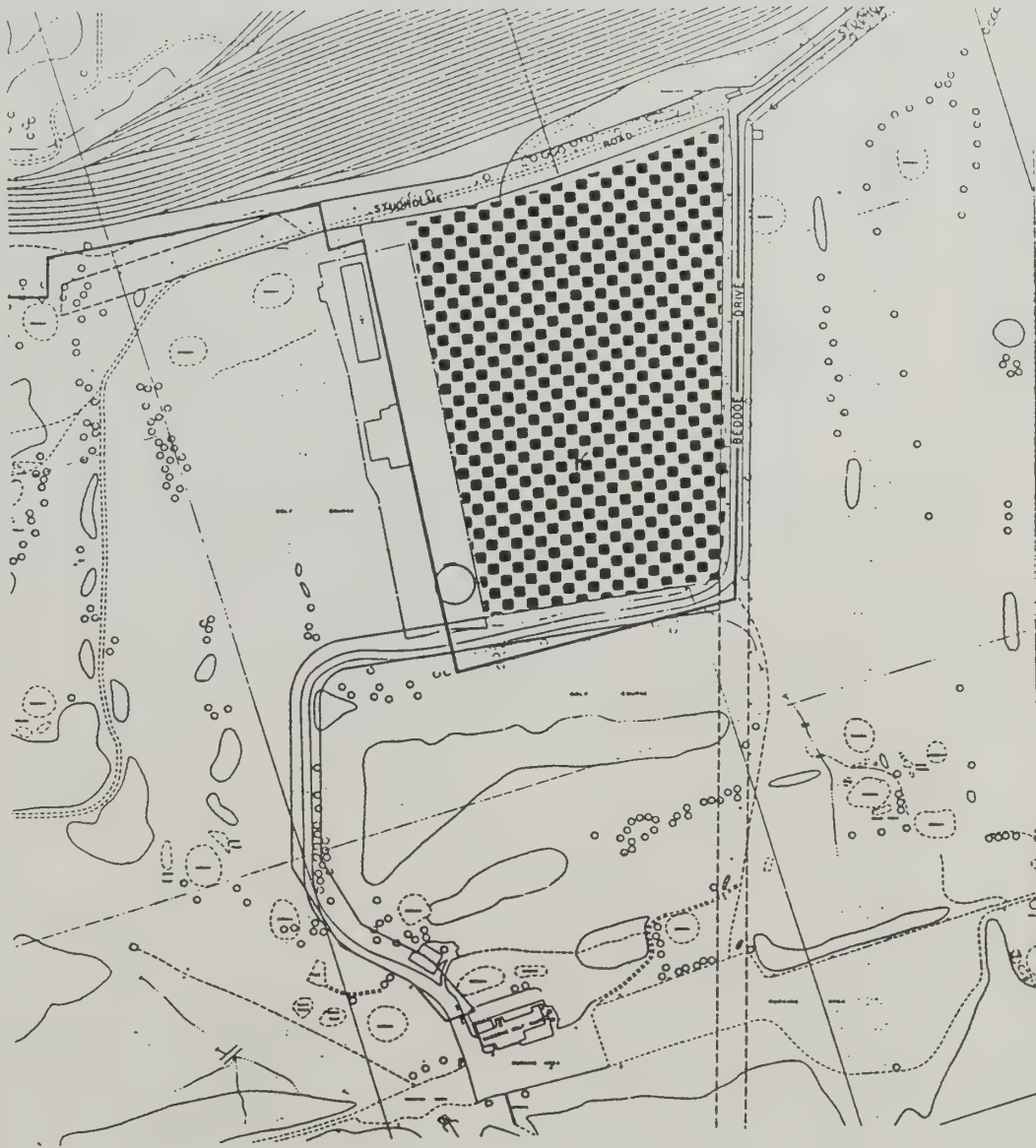
1997 October 28
Corktown Neighbourhood Plan
Action Chart

Project #	Actions	Adopted With Plan	Ongoing	Timing	Implementors
REGULATIONS					
C9	Development of a Zoning District for Institutional Uses		X	Medium Term	Planning and Development Department
C10	Review of Development Permit System		X	Medium/Long Term	Planning and Development Department
C11	Task Oriented Committee on Traffic Calming		X	Short Term	Planning and Development Department; Public Works & Traffic Dept.; Roads Dept.
C12	Urban Design Guidelines for Corktown Neighbourhood		X	Medium Term	Planning and Development Department
C13	Review of Potential Heritage Districts		X	Short Term	LACAC
C14	Statistical Update		X	Medium Term	Planning and Development Department

Legend for Timing:

Short Term: 18 months
Medium Term: 2-5 years
Long Term: beyond 5 years

1997 October 28

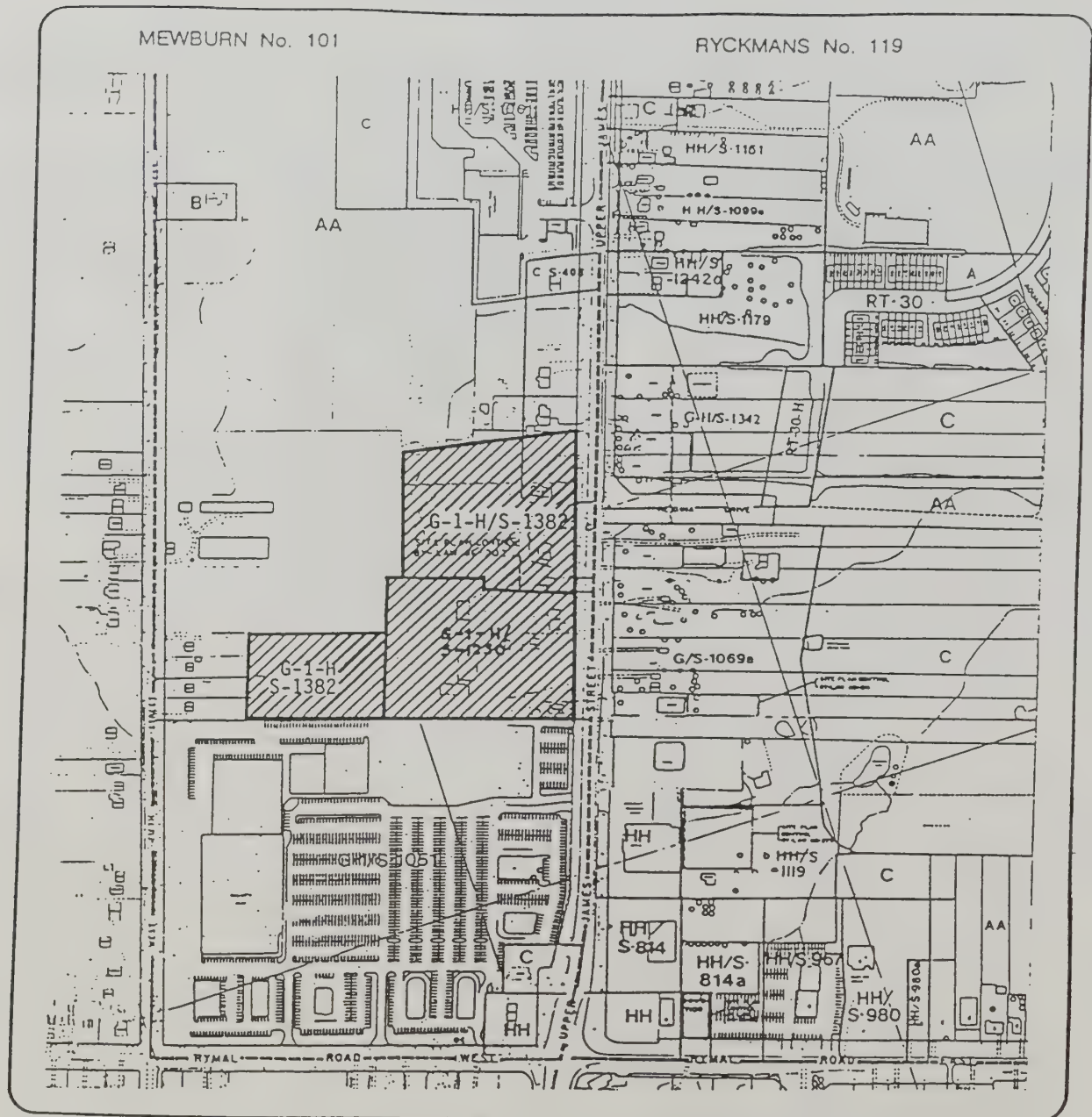


Changes to the Hamilton Official Plan



1. Schedule "A" - Land Use Concept of the Official Plan: Redesignate from "Industrial" to "Residential".
2. Schedule "B" - Special Policy Areas: Add as a new Special Policy Area.

1997 October 28



City of Hamilton

Plan Showing Lands Subject to
**ZAR-97-32 REMOVAL
OF H-HOLDING**

Planning and Development Department

Legend



Site of the Application

North



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Not to Scale

Date

OCTOBER 1997

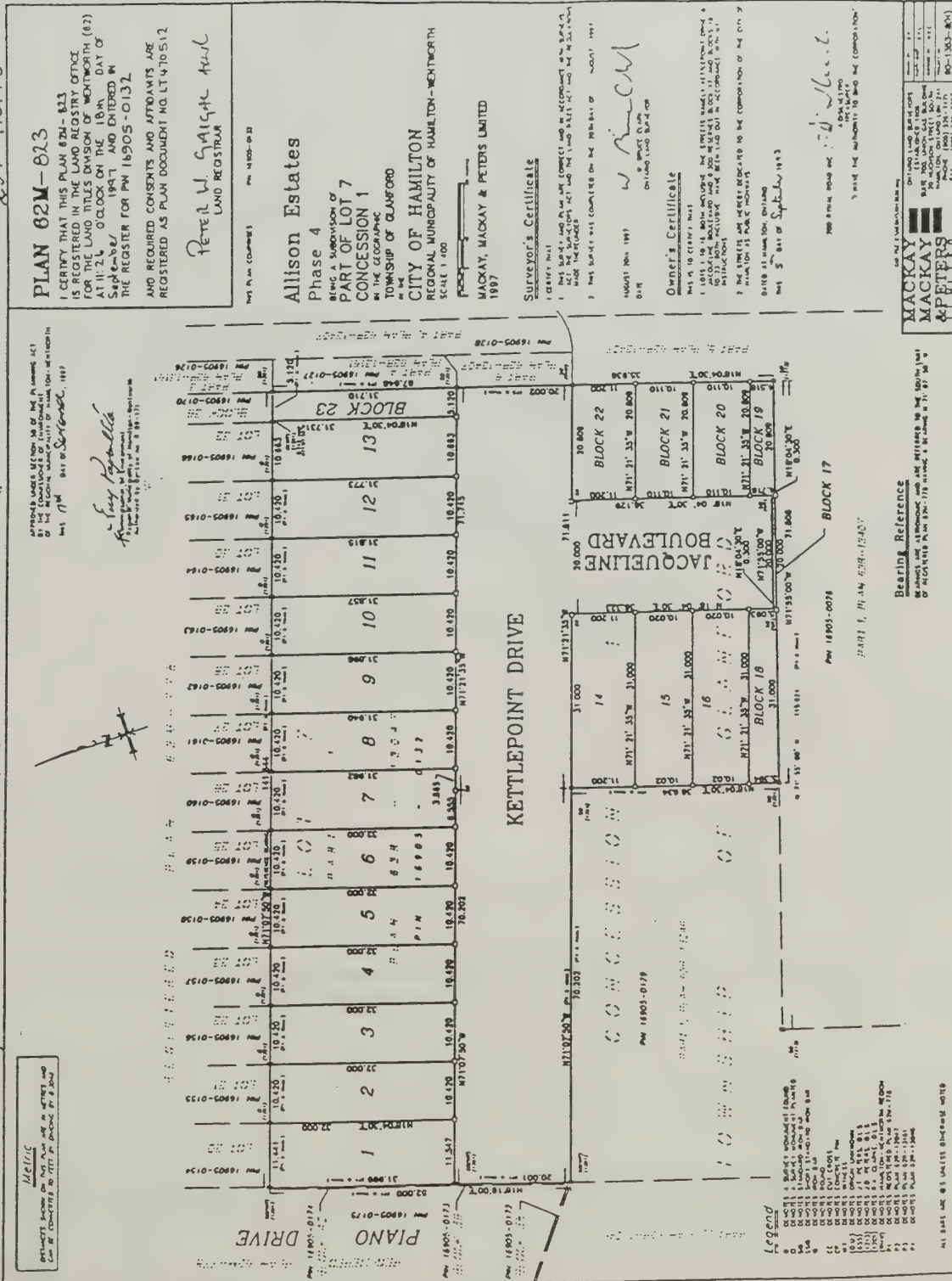
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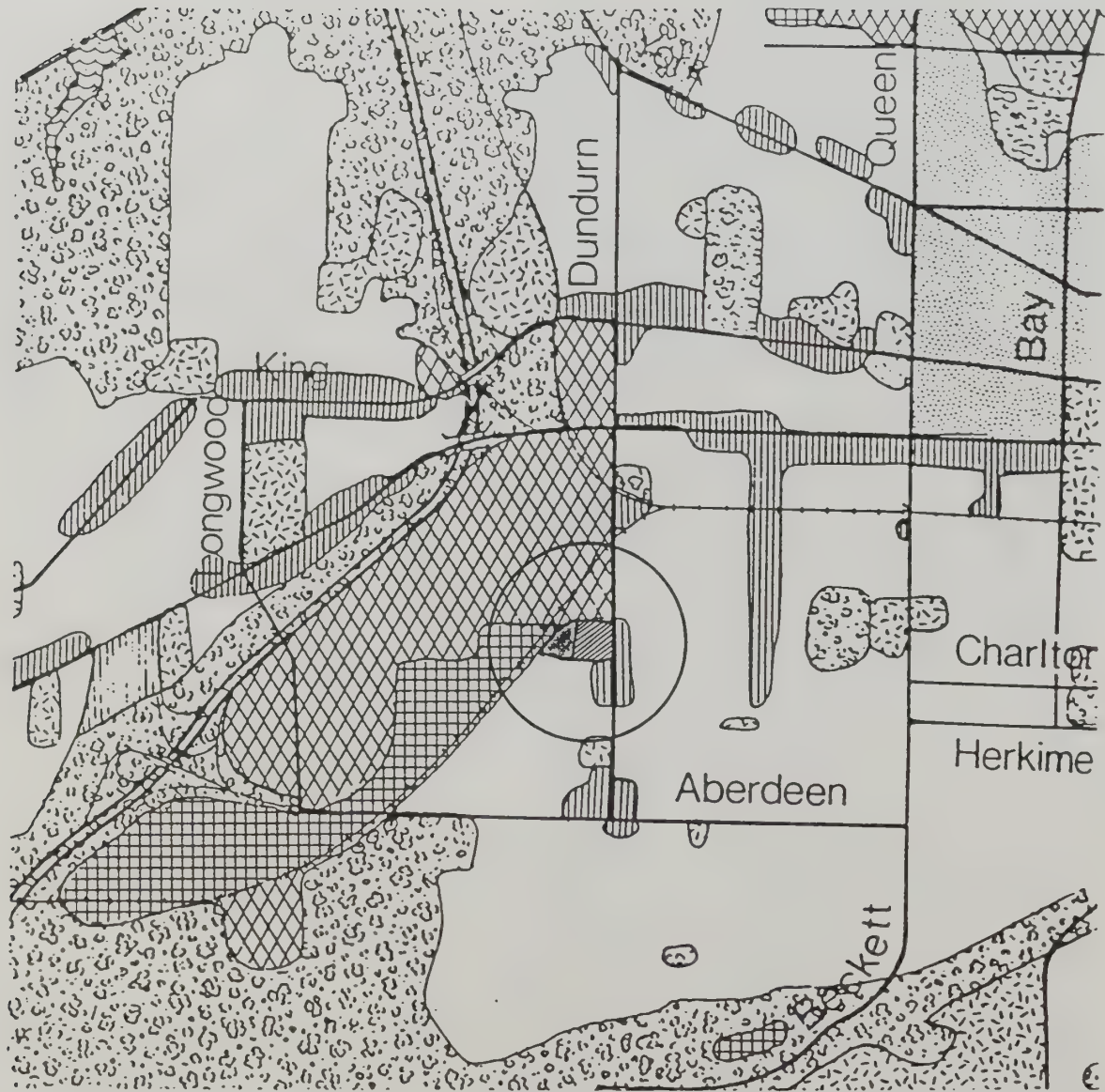
1997 October 28

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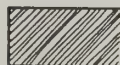


1997 October 28



Legend

Proposed changes:



"Major Institutional" to "Residential"



"Open Space" to "Residential"

Drawn By

Date

R. L.

Sept. 1997

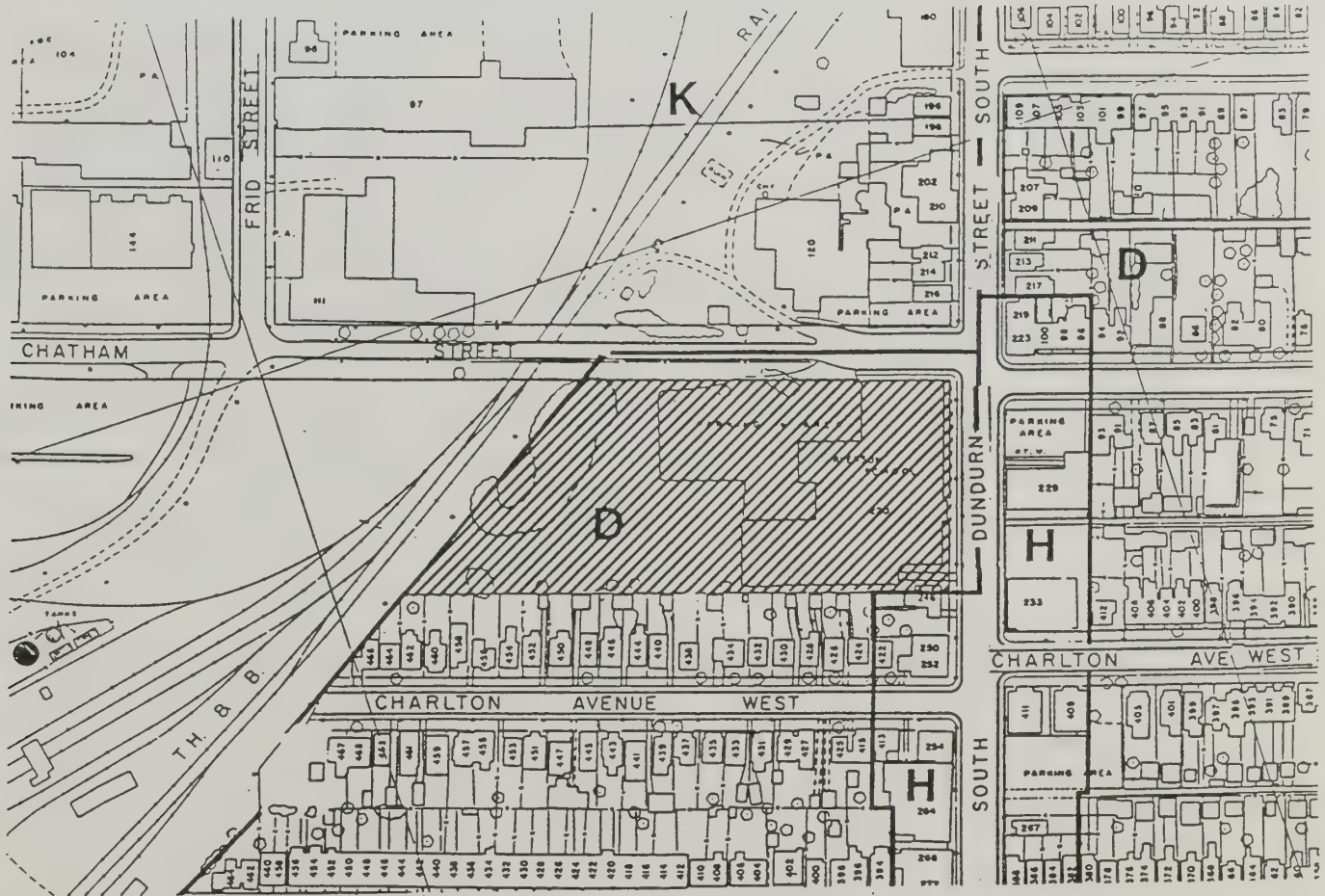
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1997 October 28



Legend



Site of the Application

Reference File No

ZAC-97-26

Drawn By

Date

July 1997

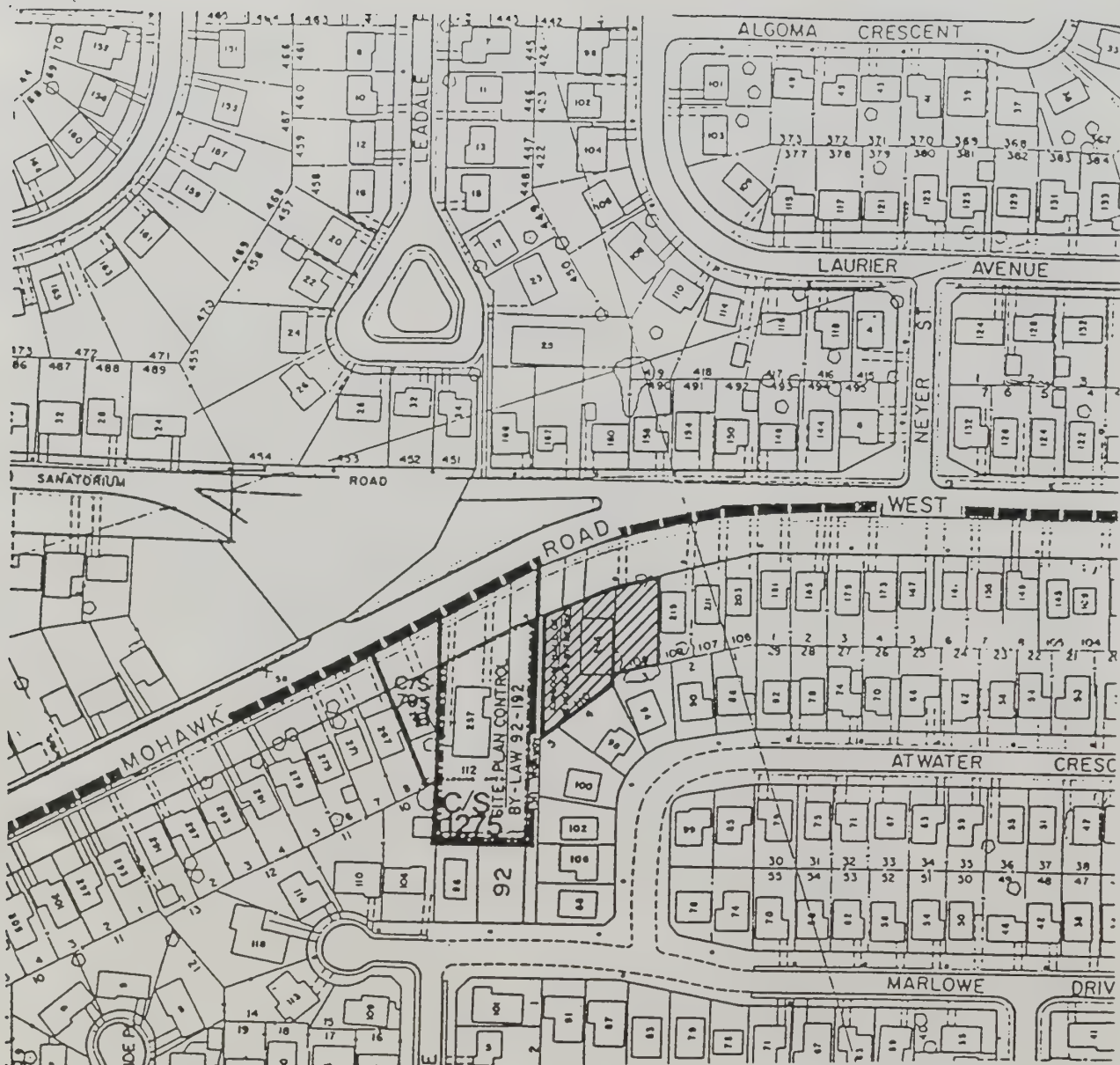
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1997 October 28



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Site of the Application

Reference File No.

ZAR-97-22

Drawn By Date

W. B. May 1997

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REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-SECOND** Report for 1997 and respectfully recommends:

1. (a) That City Council support the implementation of a long-term medical surveillance programme for Hamilton Fire Fighters involved in the Plastimet fire, as well as all other fire fighters with the Hamilton Fire Department; and, **AMENDED.**
 - (b) That Regional Council be requested to authorize its Medical Officer of Health to work with the Hamilton-Wentworth Regional Police, and other applicable agencies also involved in the Fire on a similar surveillance programme for its employees; and,
 - (c) That the Chief Administrative Officer be directed to co-ordinate staff to report back on the specifics of such a long-term programme, including funding components; and,
 - (d) That this Study include the Hamilton Fire Fighters Union, Human Resources Department, the Occupational Health Clinic for Ontario Workers (Hamilton), and the Hamilton Fire Department; and,
 - (e) That staff report back to the Finance and Administration Committee with a funding formula that covers the term of the Study; and,
 - (f) That this staff report be brought back to the 1997 November 18th meeting of the Finance and Administration Committee.
2. (a) That the City reject the Plaintiff's offer to settle this Action in the amount of \$3,500 plus costs to be agreed upon or assessed; and,
 - (b) That the City offer to settle Ontario Court (General Division) Action No. 011247/97 by payment to the Plaintiff, Alex Somagvari, of the sum of \$3,250, inclusive of all claims for damages, interest and costs; and,

- (c) That the Plaintiffs be required to execute a full and final release in a form satisfactory to the City Solicitor; and,
 - (d) That Ontario Court (General Division) Action No. 011247/97 be dismissed without costs.
- 3.
- (a) That the City resolve Ontario Court (General Division) Action No. 10642/95 by the payment to the Plaintiff, Sheila Pettersen, of the sum of \$16,400.88, inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a full and final release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 10642/95 be dismissed without costs.
4. That the City of Hamilton settle Ontario Court (General Division) Action No. 8795/95 on the following terms:
- (a) That the City pay to the Plaintiffs, Ayda Canakci and Nisan Canakci, the sum of \$35,925.88, inclusive of all damages, pre-judgment interest, legal costs and disbursements; and,
 - (b) That the plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 8795/95 be dismissed without costs.
- 5.
- (a) That the City resolve Ontario Court (General Division) Action # 13657/96 by the payment to the Plaintiff, Elizabeth McGrath, of the sum of \$2,826.20, inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action # 13657/96 together with any and all Crossclaims be dismissed without costs.

6. (a) (i) That 463-477 King Street East be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law 95-049; and,
 - (ii) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law; and,
 - (b) (i) That an Offer to Purchase 463-477 King Street East for the price of \$230,000, executed by R. M. Dynes, dated 1997 October 8, be accepted. The said land has a frontage of 43.53 metres (142.83 feet) and a depth of 38.10 metres (125.00 feet), being Lots 2, 3 and 4 on Plan 99, with structures thereon, said transaction scheduled to close on 1997 December 4. This land vested in the City as a result of no bids upon its sale for tax arrears under the Municipal Tax Sales Act. Funds derived from this sale less commission be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,
 - (ii) That the required deposit cheque in the amount of \$20,000 be held by the City Treasurer pending Council approval; and,
 - (iii) That upon successful completion of this sale, a real estate commission of 6% of the sale price, plus GST be paid to Chambers & Company Limited (Sales Representative John Robertson), who acted in this matter; and,
 - (v) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (1) Satisfactory notice has been given to the public of the intended sale; and,
 - (2) An appraisal of the fair market value of the real property intended to be sold was obtained on 1997 October 21.
7. (a) That the 1998 General and Convention/Reception Grant Applications and Policies be made available to potential applicants with an extended deadline of 1998 January 5 (due to the Christmas Closure of City Hall December 25 - January 2 inclusive) for the General Grant Applications; and,

- (b) That the process for reviewing and approving all 1998 General Grant Applications and the process for the Convention/Reception Grants be considered as soon as possible by the Finance and Administration Committee with the new term of Council.
8. That should Provincial Bill 109, the Local Control of Public Libraries Act 1997, be approved by the Provincial Legislature, the City Solicitor be authorized to prepare the appropriate by-law to meet the requirements of Bill 109 including the following:
- (a) To set the size of the new Library Board at 9 members consisting of 2 Aldermen and seven appointed citizens; and, **AMENDED.**
 - (b) To establish qualifications to include that each Library Board appointee "must be a qualified elector for the City of Hamilton who is currently eligible to be a member in the Hamilton Public Library".
- 9.
- (a) That the City of Hamilton switch from being a full partner in the PaRCIL Project to a service/customer arrangement for 1997, with subsequent years to be renewed as appropriate; and,
 - (b) That the 1996 charges for City department use and involvement in the PaRCIL Project of \$133,566.59 be approved for payment, with \$77,106.59 of that payment to be taken from capital account 5x921-00203, Reserve for Capital Projects, and the remainder from previously approved current budget allocations; and,
 - (c) That a budget of \$48,866.59 to the PaRCIL project for the portion of the 1997 costs for City PaRCIL activities not funded from previously approved current budget allocations be authorized from capital account 5x921-00203, Reserve for Capital Projects; and,
 - (d) That the current budget base of \$17,200 presently in Information Systems account CH-56005-26032 be transferred to Public Works and Traffic account CH-59056-75010; and,
 - (e) That a budget of \$25,000 to the PaRCIL project for the upgrading of equipment be authorized from capital account 5x921-00203, Reserve for Capital Projects; and,

- (f) That \$421,454.68 in the capital budget account, Reserve for Capital Projects, remaining from the PaRCIL project, be returned to the original source of funding for other projects; and,
- (g) That an advisory team to monitor PaRCIL activities on behalf of the City be struck, with membership being the Commissioner of Public Works and Traffic or his designated alternate(s) and the Director of Planning and Development or his designated alternate(s).

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Copps. -1.

CARRIED.

- 10. (a) That the City's onetime costs of Human Resources Centre - Restructuring in the amount of \$85,377 and the Information Systems Department Budget reductions in the amount of \$20,529 to a total of \$105,906, be financed from the Reserve for Contingency, Account Centre No. CH 00115; and,
 - (b) That the Regional Municipality of Hamilton-Wentworth be requested to forward their portion of the onetime severance costs in the amount of \$29,471 in relation to the Information Systems Department; and,
 - (c) That the base 1998 Budget of the Information Systems Department be increased by \$83,600 effective 1998 January 1, as recommended by the Sub-Committee set up under Section 1 of the Nineteenth Report of the Finance and Administration Committee, adopted by Council 1997 August 26.
-
- 11. (a) That the City of Hamilton purchase a table of 10 at a cost of \$600 for the 1997 Awards Dinner for the Hamilton Gallery of Distinction to be held on Wednesday, 1997 November 5th at the Hamilton Convention Centre; and,
 - (b) That funding for this expenditure be charged to the Unclassified Account No. CH 55113 24201.

12.
 - (a) That the Corporation of the City of Hamilton enter into a Lease with Seven Towers Non-Profit Family Day Care Inc., for a vacant parcel of City owned land located directly west of 44 Greendale Drive, containing approximately 583.4 square metres (6,280 square feet) more or less, being Part 2 of Block O on Plan M-66, to be used for access purposes only; and,
 - (b) That the term be for a period of four (4) years, commencing 1997 December 14 and expiring 2001 April 30, at a rental rate of \$800 per year plus any applicable taxes, and proceeds be credited to Account No. CH 44104 31106 (Rental Civic Property-Civic Properties Rented); and,
 - (c) That the Tenant shall have the option to renew the Lease for a further four (4) year period, with the rate and terms to be mutually agreed upon six (6) months prior to the expiry of the Lease; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.
13.
 - (a) That the City exercise its renewal option for the period ending 2000 December 31, and establish a purchase order with Honeywell Limited of Hamilton which for 1998 will be in the amount of \$359,108.05 inclusive of GST (\$23,493.05) for maintenance services (parts & labour) of the building automation and control systems within various City buildings, this being the only acceptable quotation received in accordance with the specifications issued by the Purchasing Division, Ref: C14-4-95; and,
 - (b) That the contract prices be reviewed and adjusted annually, if appropriate, for years 1999 through to and including 2000 according to the publicly issued pricing indexes referred to in Schedule "B" of the Agreement; and,
 - (c) That the City Solicitor be authorized and directed to amend the existing Agreement which would otherwise expire 1998 December 31 accordingly; and,
 - (d) That an Open Order be established with Honeywell Limited for labour & materials beyond the scope of the maintenance agreement according to the schedule of rates, attached herewith and marked Appendix "A".
14.
 - (a) That the City of Hamilton submit an application through the Joint Emergency Preparedness Program (JEPP) for funding to revise the City of Hamilton Emergency Preparedness Plan; and,

- (b) That the cost of revising the City of Hamilton Emergency Plan at a net City cost of \$36,667 (gross cost of \$66,667 less cost sharing arrangement of \$30,000 from an application through the Joint Emergency Preparedness Program) be funded from the Reserve for Contingency Account Centre No. CH 00115.
15. That the following Bill be adopted, signed, sealed and enrolled as a By-law:
- D-57 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.
16. (a) That Dalton Timmis Group, Inc. be appointed as the City's Insurance Brokers of Record responsible for the City's complete insurance portfolio and related risk management services for a three year term from 1997 October 29 to 2000 October 29 (subject to annual review by the City Solicitor); and,
- (b) That the Mayor and City Clerk be authorized to execute the contract, satisfactory to the City Solicitor in respect of the broker appointment.
- (c) That all insurance policies expiring 1997 December 1 be extended to 1998 March 1 and that the City Solicitor be authorized to execute any required documents in this regard; and,
- (d) That Dalton Timmis Group, Inc. be authorized to initiate a remarket of the City's insurance portfolio upon specifications and deductibles set out by the City Solicitor for consideration by Council on or before 1998 March 1; and,
- (e) That the City Solicitor be authorized to obtain quotations for consideration by Council of Public Official's Liability Insurance for consideration on or before 1998 March 1.

ADDED.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder
Secretary
1997 October 21

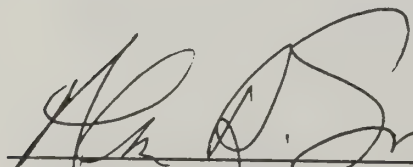
Appendix "A" referred
to in Section 13 of the
TWENTY-SECOND Report
of the Finance and
Administration
Committee for 1997

<u>MISCELLANEOUS RATES</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>
Hourly Rate	\$ _____	SEE BELOW \$ _____	\$ _____
Overtime Rate	\$ _____	\$ _____	\$ _____
Truck Expense	\$ _____	\$ _____	\$ _____
Mileage Mi/km	\$ _____ /	\$ _____ /	\$ _____ /

Overtime Commences: _____

Other charges, please specify _____

	<u>1998</u>	<u>1999</u>	<u>2000</u>
REFRIGERATION	\$65.00	\$65.00	\$65.00
PNEUMATIC FITTER	65.00	65.00	65.00
ELECTRICIAN	65.00	65.00	65.00
AUTOMATION TECHNICIAN	90.00	90.00	90.00
OVERTIME AT	1.5		
TRUCK EXPENSE	N/C		
MILAGE	.50 /km		


Authorized Signature

Alan R. Simmons
Please Print Name

(905) 573-4591
Telephone Number

Oct 1, 1997
Date

(905) 573-4595
FAX Number

NOTE: PRICES SHOWN ABOVE ARE SUBJECT TO INCREASE OR DECREASE
ACCORDING TO SCHEDULE "B" OF CONTRACT

1997 November 4

Committee of the Whole\Hamilton City Council
Tuesday, 1997 November 4
6:50 o'clock p.m.
Room 233, City Hall

URBAN MUNICIPAL

DEC 19 1997

The Council met:

GOVERNMENT DOCUMENT

Present: Acting Mayor Charters
Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Collins, Merling,
Anderson.

Absent: Mayor R. M. Morrow - civic business
Alderman D. Drury - civic business
Alderman D. Wilson - civic business
Alderman F. Eisenberger - civic business
Alderman T. Jackson - civic business
Alderman F. D'Amico - civic business
Alderman D. Ross - civic business

Acting Mayor Charters called the meeting to order.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Anderson that the Report of the Transport and Environment Committee be considered in Committee of the Whole with Acting Mayor Charters in the chair.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli,
Copps, Collins, Merling, Anderson. -10.

NAYS: -0.

CARRIED.**TRANSPORT AND ENVIRONMENT COMMITTEE - TWELFTH REPORT**

* * * * *

It was moved by Alderman Merling and seconded by Alderman Anderson that the Report of the Committee of the Whole on the Report of the Transport and Environment Committee be adopted.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Collins, Merling, Anderson. -10.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 7:00 o'clock p.m.

* * * * *

Taken as read and approved.

ACTING MAYOR B. CHARTERS

J. J. Schatz
1997 November 4

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **TWELFTH** Report for 1997 and respectfully recommends:

1. (a) (i) That on-street parking meters not be operated after 6:00 p.m. on Thursday and Friday evenings in the downtown area (bounded by Bay Street, Wellington Street, York Boulevard/Wilson Street and Jackson Street); and,

 (ii) That the \$6,000 Parking Authority revenue loss from the parking meters be offset from any surplus in the Public Works and Traffic Department accounts at the end of the year; and,

 (iii) That the annual amount of \$30,000 to \$40,000 in revenue loss from the parking meters be incorporated in the 1998 Current Budget for the Parking Authority; and,

 (iv) That the annual amount of \$30,000 to \$40,000 shortfall in parking enforcement revenues be addressed in the 1998 Current Budget process by way of an expansion package; and,

 (b) That consideration be given during the 1998 budget process to not operate on-street parking meters after 6:00 p.m. on Thursday and Friday evenings for the remainder of the City at a cost of \$350,000 to \$400,000 including lost enforcement revenues; and,

 (c) That staff be directed to further investigate and report back on the feasibility of having a uniform two hour parking time limit at all on-street parking meters in the downtown area.
2. That the existing full time "One Hour Parking Time Limit" regulation on the east side of Skylark Drive between Limeridge Road East and the extended south curb line of Pheasant Place be revised, such that the regulation commences at Limeridge and extends to a point 324 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

3. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) A-78 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
 - (b) A-79 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson
Secretary**

1997 November 4

1997 November 13

Committee of the Whole\Hamilton City Council
Thursday, 1997 November 13
10:30 o'clock a.m.
Room 233, City Hall

URBAN MUNICIPAL

DEC 19 1997

The Council met:

GOVERNMENT DOCUMENTS

Present: Mayor Morrow.
Aldermen Caplan, Agro, McCulloch, Wilson, Eisenberger, Collins, Merling,
D'Amico, Ross.

Absent: Alderman M. Kiss
Alderman D. Drury
Alderman B. Morelli
Alderman G. Copps
Alderman B. Charters
Alderman T. Jackson
Alderman T. Anderson

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Wilson and seconded by Alderman Collins that the Report of the Committee of the Whole, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, Wilson, Eisenberger, Collins,
Merling, D'Amico, Ross. -9.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - FOURTEENTH REPORT
Demolition Permits

It was moved by Alderman Wilson and seconded by Alderman Collins that the Report of the Committee of the Whole on the Report of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, Wilson, Eisenberger, Collins, Merling, D'Amico, Ross. -9.

NAYS: -0.

CARRIED.

City Council then adjourned at 11:45 o'clock.

Taken as read and approved.

MAYOR R. M. MORROW

S. G. Hollowell,
Acting City Clerk
1997 November 13

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FOURTEENTH** Report for 1997 and respectfully recommends:

1. That the Building Commissioner be authorized to issue a demolition permit for 780 Stone Church Road West in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
2. That the Building Commissioner be authorized to issue a demolition permit for 131 Birmingham Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
3. That the Building Commissioner be authorized to issue a demolition permit for 70 Emerald Street North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
4. That the Building Commissioner be authorized to deny the demolition permit until a building permit has been issued to replace the subject building at 87 - 95 Wellington Street North. in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
5. That the Building Commissioner be authorized to deny a demolition permit for 184 Lottridge Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
6. That the following Bill be adopted, signed and sealed and enrolled as a By-law:

E-12 A By-law to Confirm the Proceedings of The Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR ROBERT M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

S. G. Hollowell, Acting Secretary
1997 November 13

URBAN/MUNICIPAL
CAY ON HBL AOS
M21
1997

1997 December 4

Inaugural Meeting of Hamilton City Council
1997 December 4
7:00 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

DEC 19 1997

GOVERNMENT DOCUMENTS

The City Clerk called the meeting to order.

Present: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan.

Father David Wilhelm of Cathedral of Christ the King gave the invocation.

* * * * *

Joseph J. Schatz, Clerk of the Corporation of the City of Hamilton in the Region of Hamilton-Wentworth, declare the following candidates elected as a result of the Municipal Election held 1997 November 10.

OFFICE	ELECTED CANDIDATE
MAYOR:	Bob Morrow
ALDERMEN:	
Ward 1	Mary Kiss Marvin Caplan
Ward 2	Andrea Horwath Ron Corsini
Ward 3	Bernie Morelli Dennis Haining
Ward 4	Dave Wilson Gerry Copps
Ward 5	Chad Collins Fred Eisenberger
Ward 6	Tom Jackson Bob Charters

Ward 7 Terry Anderson
 Bill Kelly

Ward 8 Frank D'Amico
 Duke O'Sullivan

* * * * *

His Worship Mayor Robert M. Morrow subscribed to the Declaration of Office and the Oath of Allegiance before the Honourable Lincoln M. Alexander.

Following the Declaration of Office and Oath of Allegiance, the Clerk turned the proceedings over to His Worship Mayor R. M. Morrow.

The Honourable Lincoln M. Alexander administered the Declaration of Office and the Oath of Allegiance to each Member of City Council.

* * * * *

A musical presentation was performed by the Hamilton City Wide Choir.

* * * * *

A reading by Rabbi Gary Karlin, Beth Jacob Synagogue was given.

* * * * *

His Worship Mayor Robert M. Morrow addressed Council, Members of the Clergy and Special Guests followed by a Musical Presentation performed by Symphony Hamilton.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the First Report of the Nominating Committee with Mayor Morrow in the chair.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

NOMINATING COMMITTEE - FIRST REPORT

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the First Report of the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

RESOLUTION - ACTING MAYOR FOR THE MONTH OF DECEMBER, 1997

It was moved by Alderman Caplan and seconded by Alderman Horwath that Alderman Mary Kiss be appointed Acting Mayor for the month of December, 1997. **CARRIED.**

* * * * *

Bishop Ralph Spence, Anglican Diocese of Niagara gave the closing prayer.

* * * * *

City Council then adjourned at 8:25 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz
City Clerk

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

The Nominating Committee presents its **FIRST** Report and respectfully recommends:

1. Approval of the following appointments, for the 1997-2000 Term of City Council (except where otherwise noted):

(a) **Transport and Environment Committee**

Alderman C. Collins, Chairperson
Alderman D. Wilson, Vice-Chairperson
Mayor R. M. Morrow
Alderman M. Kiss
Alderman A. Horwath
Alderman B. Morelli
Alderman T. Jackson
Alderman T. Anderson
Alderman F. D'Amico

(b) **Parks and Recreation Committee**

Alderman B. Morelli, Chairperson
Alderman M. Kiss, Vice-Chairperson
Mayor R. M. Morrow
Alderman R. Corsini
Alderman G. Copps
Alderman F. Eisenberger
Alderman T. Anderson
Alderman T. Jackson
Alderman D. O'Sullivan

(c) **Planning and Development Committee**

Alderman F. D'Amico, Chairperson
Alderman G. Copps, Vice-Chairperson
Mayor R. M. Morrow
Alderman M. Caplan
Alderman R. Corsini
Alderman D. Haining
Alderman F. Eisenberger
Alderman B. Charters
Alderman B. Kelly

(d) **Finance and Administration Committee**

Alderman D. Wilson, Chairperson
Alderman D. O'Sullivan, Vice-Chairperson
Mayor R. M. Morrow
Alderman M. Caplan
Alderman A. Horwath
Alderman D. Haining
Alderman C. Collins
Alderman B. Charters
Alderman B. Kelly

(e) **Hamilton-Scourge Steering Committee**

Alderman F. D'Amico, Chairperson
Alderman M. Caplan, Vice-Chairperson
Mayor R. M. Morrow
Alderman R. Corsini
Alderman B. Morelli
Alderman G. Copps
Alderman F. Eisenberger
Alderman B. Charters
Alderman T. Anderson

(f) **Hamilton Entertainment and Convention Facilities Inc.**

Mayor R. M. Morrow
Alderman R. Corsini
Alderman B. Charters
Alderman T. Anderson
Alderman B. Kelly

(g) **City of Hamilton Licensing Committee**

Alderman D. Haining
Alderman F. Eisenberger
Alderman B. Kelly

(h) **Hamilton Public Library Board**

Alderman D. Wilson
Alderman T. Jackson

- (i) **Committee of Adjustment**
(Term of Office to expire 1998 December 4)

Alderman D. Haining
Alderman B. Charters
- (j) **Parking Authority for the City of Hamilton**

Mayor R. M. Morrow
Alderman A. Horwath
Alderman F. D'Amico
- (k) **Canadian Football Hall of Fame and Museum Management Committee**

Alderman C. Collins
Alderman T. Anderson
Alderman D. O'Sullivan
- (l) **Hamilton Region Conservation Authority**
(Nominated for Appointment by Regional Council)

Alderman M. Kiss
Alderman D. Wilson
Alderman G. Copps
Alderman F. Eisenberger
Alderman B. Charters
Alderman D. O'Sullivan
- (m) **Hamilton Mundialization Committee**

Alderman M. Caplan
- (n) **Art Gallery of Hamilton Board of Directors**

Alderman F. Eisenberger
- (o) **Hamilton and Region Arts Council Board of Directors**

Mayor R. M. Morrow
- (p) **Hamilton Safety Council**

Alderman F. D'Amico

(q) **Hamilton Society For the Prevention of Cruelty to Animals**

Alderman T. Jackson

(r) **Symphony Hamilton Board of Directors**

Mayor R. M. Morrow

(s) **Senior Citizens Council**

Alderman B. Morelli

Alderman T. Jackson

(t) **Theatre Aquarius Board of Directors**

Alderman T. Anderson

(u) **Barton Street Business Improvement Area**

Alderman B. Morelli

Alderman D. Haining

(v) **Concession Street Business Improvement Area**

Alderman T. Anderson

Alderman B. Kelly

(w) **Downtown Hamilton Business Improvement Area**

Alderman A. Horwath

Alderman R. Corsini

(x) **International Village Business Improvement Area**

Alderman A. Horwath

Alderman R. Corsini

(y) **Main Street West Esplanade Business Improvement Area**

Alderman M. Kiss

Alderman M. Caplan

(z) **Ottawa Street Business Improvement Area**

Alderman B. Morelli
Alderman D. Haining
Alderman D. Wilson
Alderman G. Copps

(aa) **Westdale Village Business Improvement Area**

Alderman M. Kiss
Alderman M. Caplan

(bb) **Hamilton-Wentworth Council on Smoking and Health**

Alderman M. Caplan

(cc) **Court of Revision**

Alderman A. Horwath
Alderman D. Haining
Alderman B. Kelly
Alderman F. D'Amico
Alderman D. O'Sullivan

(dd) **Large Urban Section Executive of the Association of
Municipalities of Ontario**

Mayor R. M. Morrow

(ee) **Selection Committee**

(Term of Office to expire 1998 December 4)

Alderman C. Collins, Chairperson
Alderman A. Horwath, Vice-Chairperson
Alderman M. Caplan
Alderman R. Corsini
Alderman F. Eisenberger
Alderman T. Jackson
Alderman F. D'Amico

- (ff) **Hamilton Health Sciences Corporation**
(Nominated for the 1997 - 1998 Term of Office)
- Alderman M. Caplan
Alderman B. Kelly
Alderman F. D'Amico
- (gg) **Hamilton Health Sciences Corporation's Nominating and Governance Committee**
(Nominated for the 1997 - 1998 Term of Office)
- Alderman F. D'Amico
- (hh) **Bingo Hall Review Committee**
- Alderman D. Haining
Alderman F. Eisenberger
Alderman B. Kelly
- (ii) **Mayor's Committee Against Racism and Discrimination**
- Mayor R. M. Morrow
Alderman M. Caplan
Alderman A. Horwath
- (jj) **Municipal Non Profit (Hamilton) Housing Corporation/Hamilton Housing Company Limited**
- Mayor R. M. Morrow
Alderman A. Horwath
Alderman D. Haining
Alderman D. Wilson
Alderman B. Charters
Alderman B. Kelly
- (kk) **Site Plan Committee for the Hamilton Harbour Commission**
- Alderman C. Collins

(ll) **Committee to Discuss City's Position respecting Port of Hamilton Planning Matters - Minutes of Settlement and Draft OMB Orders**

Mayor R. M. Morrow
Alderman C. Collins
Alderman B. Charters

(mm) **Hamilton Hydro-Electric Commission**

Mayor R. M. Morrow

(nn) **Downtown Partnership**

Mayor R. M. Morrow
Alderman B. Charters

2. That the following Bill be adopted, signed and sealed and enrolled as a By-law:

E-01: A By-law to Confirm the Proceedings of The Council of the Corporation of The City of Hamilton.

Respectfully Submitted

**Mayor R. M. Morrow
Chairman
Nominating Committee**

J. J. Schatz, Secretary

URBAN/MUNICIPAL
CAY ON HBL AOS
M21
1997

1997 December 11

Minutes of Committee of the Whole\City Council
1997 December 11
8:30 o'clock p.m.
Room 233, City Hall

URBAN MUNICIPAL

DEC 18 1997

The City Clerk called the meeting to order.

GOVERNMENT DOCUMENTS

Present: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

ADOPTION OF MINUTES

The minutes of the meeting held:

1997 October 28 (regular)
1997 November 4 (special)
1997 November 13 (special)
1997 December 4 (special) were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1997 December 1 from Donna Clark, David Masney, Raymond & Karen Barrett, Charles & Athena Lee, and Freda & Seymour Rosenfeld, residents of Queen Street South, Re: Opposition to proposed residential care facility at 366 Queen Street South.

Referred to the Planning and Development Committee.

2. Letter dated 1997 November 18 from R. Scott Smith, Secretary, Hamilton Harbour Commissioners, Re: Memorandum of Agreement.

Referred to the Finance and Administration Committee.

3. Letter dated 1997 December 3 from W. A. Thomas, General Manager, Hydro-Electric Commission of the City of Hamilton, Re: Zero average increase for the year 1998.

Received.

4. Application dated 1997 October 24 from the Region of Hamilton-Wentworth, Corporate Legal Services Group, 1 James Street South, Hamilton, Ontario, for a change in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District modified for 1126 Garth Street, Hamilton, Ontario.

Received.

5. Application dated 1997 October 28 from T. D. C. General Homes, 124 Second Road East, Stoney Creek, Ontario, for removal of the "H" Holding Provision for lands at 120 Ferrie Street, Hamilton, Ontario.

Received.

6. Application dated 1997 November 14 from Sisters of St. John The Baptist, 329 Mohawk Road West, Hamilton, Ontario, for further modification to the "C" (Urban Protected Residential, etc.) District, 329 Mohawk Road West, Hamilton, Ontario.

Received.

7. Application dated 1997 December 5 from Doug Leggatt, Little Three Ontario Ltd., 2207 Fairview Street, Burlington, Ontario, for an Official Plan Amendment to Redesignate the subject lands from "Residential" to "Commercial" and for a change of zoning from "AA" - (Agricultural) and "C" - (Urban Protected Residential, etc.) to "HH" - (Restricted Community Shopping and Commercial, etc.) District for 75 Rymal Road East, Hamilton, Ontario, to permit automobile sales, leasing and related uses.

Received.

8. Application dated 1997 December 5 from Silvia Costabile, 73 Kennedy Avenue, Hamilton, Ontario, for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District modified for 73 Kennedy Avenue, Hamilton, Ontario.

Received.

9. Application dated 1997 December 5 from Hampshire Properties, c/o The Effort Trust Company, 242 Main Street East, Hamilton, Ontario, for a change in zoning from "CR-1" - (Commercial - Residential) District to "HH" - (Restricted Community Shopping & Commercial, etc.) District modified for lands located at 1317 Upper James Street, Hamilton, Ontario.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FIRST REPORT

Section 79 Re: All way stop control - Locke Street North and Florence Street

It was moved by Alderman Wilson and seconded by Alderman Caplan that Section 79 of the First Report of the Transport and Environment Committee be referred back.

Recorded vote.

YEAS: Aldermen Caplan, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly. -7.

NAYS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Jackson, D'Amico, O'Sullivan -9. **LOST.**

PARKS AND RECREATION COMMITTEE - FIRST REPORT

PLANNING AND DEVELOPMENT COMMITTEE - FIRST REPORT

**Section 3 Re: 180 day delay of demolition be applied at 14 Belvidere Avenue -
Conflict of Interest**

Alderman Caplan declared personal interest in, took no part in the debate and refrained from voting on this matter as he is personally involved with the sale of this property.

* * * * *

**Section 27 Re: Official Plan Amendment No. 145 - Chedoke Terrace Inc, 100 Beddoe
Drive - Lapp Property - Conflict of Interest**

Alderman D'Amico declared personal interest in, took no part in the debate and refrained from voting on this matter as he is employed by the owner of the property.

* * * * *

**Section 27 Re: Official Plan Amendment No. 145 - Chedoke Terrace Inc, 100 Beddoe
Drive - Lapp Property**

It was moved by Alderman Kiss and seconded by Alderman Caplan that Section 27 of the First Report of the Planning and Development Committee be referred back. **LOST.**

FINANCE AND ADMINISTRATION COMMITTEE - FIRST REPORT

Section 32 (c) City of Hamilton Donations Policy

It was moved by Alderman Charters and seconded by Alderman Jackson that section 32 (c) of the FIRST Report of the Finance and Administration Committee be amended by deleting the words "Alderman B. Charters and the Treasurer meet on" in the first line and insert in lieu thereof "Doug Lobo", Commissioner of Public Works and Traffic, develop a process and policy for".

CARRIED.

COMMITTEE OF THE WHOLE - FIRST REPORT

**Section 5 Re: Liquor Control Board of Ontario - City of Hamilton objecting to
 opening of retail outlets selling beverage alcohol on Sundays.
 - Conflict of Interest**

Alderman Haining declared personal interest in, took no part in the debate and refrained from voting on this matter as he is employed by the Liquor Control Board of Ontario.

ACTING MAYOR FOR THE MONTH OF JANUARY, 1998

It was moved by Alderman Kiss and seconded by Alderman Eisenberger that Alderman Marvin Caplan be appointed Acting Mayor for the month of January, 1998. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Committee of the Whole, be adopted.

1997 December 11

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:25 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz
City Clerk
JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIRST** Report and respectfully recommends:

1. That the By-law to sell a portion of closed Garside Avenue North to Peninsula Orthodontic Services Incorporated, designated as Part 1 on Plan 62R-13955 be prepared to the satisfaction of the City Solicitor and be enacted by Council.
2. That the existing "Two Hour Parking Time Limit, 24 Hours a Day, Monday to Friday" regulation on the east side of Gladstone Avenue between Delaware Avenue and Main Street East be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
3.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Mary Street commencing at a point 140 feet south of Burlington Street East and extending to a point 16 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Anchse Marchi, No. 552 Mary Street.
4. That the existing "Permit Parking" regulation on the south side of Francis Street which commences at a point 106 feet west of Douglas Street and extends to a point 20 feet westerly therefrom be relocated such that the regulation commences at a point 145 feet west of Douglas Street and extends to a point 20 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
5. That a "No Stopping" regulation be implemented on the north side of Shaw Street commencing at a point 195 feet east of Cheever Street and extending to a point 78 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

6. (a) That a "Permit Parking" regulation be implemented on the west side of Stapleton Avenue commencing at a point 302 feet north of McAnulty Boulevard and extending to a point 22 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Tom Parisee, No. 27 Stapleton Avenue.
7. That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Whitney Avenue between Broadway Avenue and Bowman Street, and that the City Traffic By-law No. 89-72 be amended accordingly.
8. That a "No Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the west side of Avondale Street commencing at a point 193 feet south of Mons Avenue and extending to a point 14 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
9. (a) That the existing "Alternate Side Parking" regulation and "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on Traymore Avenue between Forsyth Avenue South and Dalewood Avenue be replaced with a "No Parking" regulation on the north side and a "Permit Parking" regulation on the south side, and that the City Traffic By-law No. 89-72 be amended accordingly; and

(b) That the Commissioner of Public Works and Traffic be authorized to initially issue two parking permits to No. 103 Traymore Avenue and one parking permit to Nos. 74, 75, 76, 77, 98, 107, 114 and 115 Traymore Avenue and any additional permits (to a maximum of 18) on a first come first served basis.
10. (a) That a fulltime "One Hour Parking Time Limit" regulation be implemented on the north side of Munroe Street between Niagara Street and Hillyard Street; and,

(b) That a fulltime "One Hour Parking Time Limit" regulation be implemented on the west side of Hillyard Street between Munroe Street and Brant Street; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.
11. (a) That the existing "No Parking" regulation on the north side of Brant Street between Wentworth Street and Niagara Street be replaced with a "Permit Parking" regulation and a "No Parking, 8:00 a.m. to 12:00 p.m., 3rd Wednesday, April to November" regulation; and,

- (b) That a "No Stopping" regulation be implemented on the north side of Brant Street from Wentworth Street to 55 feet easterly therefrom; and,
 - (c) That a "Permit Parking" regulation be implemented on the south side of Brant Street, from Wentworth Street to Niagara Street; and,
 - (d) That the City of Hamilton Traffic By-law No. 89-72 be amended accordingly; and,
 - (e) That the Commissioner of Public Works and Traffic be authorized to issue up to a maximum of 13 permits to abutting residents.
12. (a) That a "Permit Parking" regulation be implemented on the south side of Macauley Street West commencing at a point 269 feet west of MacNab Street North and extending to a point 16 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Blair Crawford, No. 57 Macauley Street West.
13. (a) That a "Permit Parking" regulation be implemented on the south side of Albany Avenue commencing at a point 74 feet west of Cope Street and extending to a point 18 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Pam Prawdzik, No. 168 Albany Avenue.
14. That a "No Parking" regulation be implemented on the north side of Cameo Avenue between Upper Sherman Avenue and Carmen Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.
15. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on south side of Brant Street, commencing at Niagara Street and extending to a point 165 feet easterly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

16. That the two existing one hour parking meters on the west side of Balmoral Avenue North, commencing 57 feet north of Cannon Street East and extending to a point 36 feet northerly therefrom, be replaced with a "No Parking" regulation, and that the City Traffic By-law No. 89-72 be amended accordingly.
17. That the Commissioner of Public Works and Traffic be authorized to issue one Time Limit Exemption Permit to Mr. Robert Ewin, No. 23 Spring Street.
18. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 9:00 p.m., seven days a week" regulation on the west side of Devonport Street between Tom Street and York Boulevard and on the east side of Devonport Street between Tom Street and a point 171 feet south of York Boulevard be revised, such that the regulation is in effect until 5:00 p.m., Monday to Friday, and that the City Traffic By-law No. 89-72 be amended accordingly.
19. (a) That a "Permit Parking" regulation be implemented on the east side of Dundurn Street South commencing at a point 139 feet south of South Street and extending to a point 18 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Crawford, No. 485 Dundurn Street South.
20. (a) That a "Permit Parking" regulation be implemented on the east side of Catharine Street North commencing at a point 49 feet south of Picton Street East and extending to a point 18 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Robert Scgato, No. 442 Catharine Street North.
21. (a) That the existing by-law entry allowing for a "Permit Parking" regulation on the west side of Ray Street North commencing at a point 24 feet south of Florence Street and extending to a point 18 feet southerly therefrom be rescinded; and,
(b) That a "Permit Parking" regulation be implemented on the south side of Florence Street commencing at a point 62 feet west of Ray Street North and extending to a point 21 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

- (c) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Helen Qubaia, No. 110 Ray Street North.
- 22. That the existing "Permit Parking" regulation on the east side of John Street North commencing at a point 58 feet north of Strachan Street East and extending to a point 25 feet northerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 23. That the existing "Alternate Side Parking" regulation on the east side of Kings Forest Drive commencing at Nova Drive and extending to a point 92 feet northerly therefrom and on the west side of Kings Forest Drive commencing 68 feet north of Nova Drive and extending to a point 20 feet northerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 24. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the west side of West 27th Street commencing at Bendamere Avenue and extending to a point 121 feet northerly therefrom, be extended 56 feet northerly, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 25. That the existing "No Stopping" regulation on the north side of Acadia Drive/Annapolis Way commencing 39 feet west of Acadia Drive (east leg) and extending to a point 91 feet easterly therefrom be extended 20 feet easterly, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 26. (a) That a "Permit Parking" regulation be implemented on the east side of Gibson Avenue, commencing 141 feet north of Cannon Street East and extending to a point 21 feet northerly therefrom, and on the west side of the street commencing 156 feet north of Cannon Street East and extending to a point 23 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. George Davis, No. 90 Gibson Avenue.
- 27. (a) That a "Permit Parking" regulation be implemented on the south side of Somerset Avenue commencing at a point 139 feet west of Barnesdale Avenue North and extending to a point 24 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and

- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Gail Quinn, No. 50 Somerset Avenue.
- 28. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Angela Avenue between West 32nd Street and West 35th Street, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 29.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Belview Avenue commencing at a point 27 feet south of Cannon Street East and extending to a point 16 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Claudio Klanjscek, No. 1064 Cannon Street East.
- 30. That three-way stop control be implemented at the westerly intersection of Gainsborough Road and Old Orchard Road, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 31. That northbound traffic on Milkyway Drive be required to stop for eastbound and westbound traffic on Solomon Crescent, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 32.
 - (a) That the existing southbound yield signs at the intersections of Adair Avenue South and Lucerne Avenue and Taylor Avenue and Lucerne Avenue be replaced with stop signs; and,
 - (b) That the existing northbound yield signs at the intersections of Taylor Avenue and Central Avenue and Reid Avenue South and Central Avenue be replaced with stop signs; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
- 33.
 - (a) That westbound traffic on Kirkfield Road be required to stop for northbound and southbound traffic on Springside Drive; and,

- (b) That northbound traffic on Piano Drive be required to stop for eastbound and westbound traffic on Jacqueline Boulevard; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
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- 34. That four-way stop control be implemented at the intersection of West 16th Street and Sanatorium Road, and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 35. That three-way stop control be implemented at the intersection of Lockheed Drive and Castle Street, and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 36. That westbound traffic on Purnell Drive be required to stop for northbound and southbound traffic on Clifton Downs Road, and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 37. That three-way stop control be implemented at the intersection of Ambassador Drive and Montcalm Drive, and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 38. That three-way stop control be implemented at the intersection of Elliott Avenue and Toby Crescent, and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 39. That northbound traffic on Norman Street be required to stop for eastbound and westbound traffic on Argyle Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 40. That southbound traffic on Baroche Street be required to stop for eastbound and westbound traffic on Berko Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 41. That three-way stop control be implemented at the intersection of Locke Street South and Herkimer Street, and that the City Traffic By-law No. 89-72 be amended accordingly.
 - 42. That southbound traffic on Crosthwaite Avenue South be required to stop for eastbound and westbound traffic on Normandy Road, and that the City Traffic By-law No. 89-72 be amended accordingly.

43. That the existing "No Stopping, Wheelchair Loading Zone, 9:00 a.m. to 5:00 p.m., Monday to Saturday" regulation on the east side of Cochrane Road commencing at a point 97 feet south of Central Avenue and extending to a point 22 feet southerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

44. (a) That the following Hamilton Street Railway Company bus stops be installed and/or removed:

Route No. 7 Locke

Add - Westbound Hunter Street West, north side, 77 feet east of the east curb line (projected) of Park Street (M/B); and,

Add - Westbound Hunter Street West, north side, 36 feet east of the east curb line of Bay Street South (N/S); and,

Delete - Westbound Duke Street, north side, 15 feet east of the east curb line of Bay Street South (N/S); and,

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
45. That a "No Stopping" corner clearance be implemented on the east side of Devonport Street commencing at York Boulevard and extending to a point 44 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
46. That a "No Parking" regulation be implemented on the west side of Waverly Street commencing 62 feet north of Melvin Avenue and extending to a point 85 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
47. That "No Stopping" corner clearances be implemented on both sides of Jameston Avenue commencing at West 5th Street and extending to a point 63 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

48. (a) That the following Hamilton Street Railway Company bus stop be relocated:

Route No. 4 BAYFRONT:

Delete - Northbound - Depew Street, east side, 153 feet south of Gertrude Street (M/B); and,

Add - Northbound - Depew Street, east side, 149 feet north of Gertrude Street (M/B); and,

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
49. That a "No Parking" regulation be implemented on the south side of Hester Street commencing at Ridge Street and extending to a point 120 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
50. (a) That Macklin Street from King Street West to Longwood Road North, Unsworth Drive from Upper Ottawa Street to Hempstead Drive, Hempstead Drive from Unsworth Drive to Nebo Road, Omni Drive from Stone Church Road to Upper Horning Road, and Upper Horning Road from Omni Drive to the northerly end, north of Elena Court be designated as bus routes and snow routes; and,
- (b) That the snow route and bus route designations for Ambrose Avenue from Veevers Drive to Greenhill Avenue, Elmwood Avenue from Garth Street to West 21st Street, Grenadier Drive from Mohawk Road to Toby Crescent, Osbourne Street from Melvin Avenue to Barton Street, Talbot Street from Melvin Avenue to Barton Street, Toby Crescent from Upper Kenilworth Avenue to Grenadier Drive, Upper Horning Road from Mohawk Road to Golf Links Road, Veevers Drive from Quigley Road to Ambrose Avenue, and West 21st Street from Sanatorium Road to Elmwood Avenue be repealed; and,
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.
51. That a "No Stopping" corner clearance be implemented on the west side of Jefferson Avenue commencing at Main Street East and extending to a point 88 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
52. (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Bonaparte Way commencing at a point 84 feet east of the east curb line of Brigade Drive and extending 120 feet easterly be removed; and,

- (b) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Bonaparte Way commencing at a point 82 feet east of the east curb line of Corsica Court and extending 29 feet easterly be removed; and,
 - (c) That a "No Stopping Anytime" regulation be installed on the south side of Bonaparte Way commencing at a point 108 feet west of Fusilier Drive and extending to a point 54 feet east of Fusilier Drive; and,
 - (d) That the City Traffic By-law No. 89-72 be amended accordingly.
53. That a "No Stopping" regulation be implemented on the north side of Ward Avenue commencing at Bowman Street and extending to a point 60 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
54. (a) That the existing residential boulevard parking agreement registered as Instrument No. 390693AB to the property at No. 33 Cumberland Avenue be discharged, at the property owner's expense; and,
- (b) That the City Solicitor be authorized and directed to process the documents in relation to the discharge of this agreement; and,
- (c) That the owner of the property be permitted to execute a revised residential boulevard parking agreement.
55. That the existing "Commercial Vehicle Loading Zone, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the south side of King William Street commencing at a point 64 feet east of John Street North and extending to a point 22 feet easterly therefrom be replaced with a fulltime "No Parking" regulation, and that the City Traffic By-law No. 89-72 be amended accordingly.
56. That a "Wheelchair Loading Zone, 24 hours a day, seven days a week" regulation be implemented on the east side of West 2nd Street commencing at a point 141 feet south of South Bend Road West and extending to a point 23 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
57. That a "Wheelchair Loading Zone, 3:00 p.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the north side of Franklin Road commencing at a point 57 feet east of East 27th Street and extending to a point 33 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

58. That a "No Parking" regulation be implemented on the north side of Nova Drive, commencing at Kings Forest Drive and extending to a point 68 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
59. That a purchase order be issued to Canadian Corps of Commissionaires (Hamilton) for parking enforcement services for 1998, in accordance with the conditions of the attached Vendor's quote as follows:

Position	Billing Rate Per Hour
Master Warrant Officer	\$12.48
Commissionaire	\$11.20

60. That a "No Stopping" corner clearance be implemented on the north side of Mountville Avenue commencing at Upper Wellington Street and extending to a point 59 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.
61. (a) That the two existing residential boulevard parking agreements registered as Instrument Nos. 8333 and 8334 to the properties at Nos. 140 and 144 East 45th Street, respectively, be discharged, at the City's expense; and,
- (b) That the City Solicitor be authorized and directed to process the documents in relation to the discharge and registration of these agreements; and,
- (c) That the owners of these properties be permitted to execute a revised residential boulevard parking agreement for their respective properties, at the City's expense.
62. That the applications to retain inadvertent encroachments at the locations as outlined on Appendix "A", attached hereto, be approved, provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
- (c) That the first year fees and subsequent annual fees as outlined in Appendix "A" be set for the encroachments.

63. That the application of Good Shepherd Homes Inc. owners of No. 90 Stinson Street, to establish and maintain landscaping measuring 3.60m x 34.00m and a Victorian style ornamental fence approximately 34.00m x 1.00m in height, onto the road allowance of East Avenue South Avenue, be approved, subject to the following:

- (a) That the owner enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
- (c) That the applicant pay a first year fee \$184 and a subsequent annual fee of \$52.

64. (a) That the following City land be incorporated into the following streets:

Alfrin Court	Part 1	62R-13808
Bolzano Drive	Block 39	62M-806
Fano Drive	Block 28 & 29	62M-808
Linden Street	Part 1	62R-14281
Locheed Drive	Block 32	62M-745
Mapleridge	Block 55	62M-743
Sirente Drive	Part 1	62R-14308

- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the City Solicitor and be enacted by City Council; and,
- (c) That the Commissioner of Transportation be authorized and directed to register the by-laws.

65. That the application of 953783 Ontario Ltd., owner of Nos. 7 - 11 Mary Street, to establish and maintain a fire escape landing measuring 1.00m x 8.00m, encroaching onto the road allowance of Mary Street and fire escape stairs measuring 0.70m x 7.30m encroaching onto the first assumed alley north of Nos. 7 - 11 Mary Street, be approved, subject to the following:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the applicant pay a first year fee \$184 and a subsequent annual fee of \$52.
66. (a) That the Encroachment Agreement for No. 80 King William Street, registered as Instrument No. 313494CD., be discharged; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute the discharge documents for the Encroachment Agreement, registered as Instrument No. 313494CD. in a form satisfactory to the Law Department.
67. That the application of Srokowski Developments, owners of No. 709 Barton Street East, to establish and maintain a wheelchair ramp measuring 2.13m x 3.04m encroaching onto the road allowance of Ruth Avenue, be approved, subject to the following:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the applicant pay a first year fee \$232 and a subsequent annual fee of \$35.

68. That the City Council approval of the Encroachment Agreement, between the City of Hamilton and the Hamilton Harbour Commissioners to establish and maintain rail spur lines to serve Pier 15, crossing the northerly limits of the Wentworth Street, Niagara Street and Hillyard Street road allowances, approved on 1993 October 26 as Section 25 of the Thirteenth Report of the Transport and Environment Committee for 1993, be rescinded.
69.
 - (a)
 - (i) That the lands composed of the southerly half of the public walkway, designated as Part 2 on Plan 62R-14304, be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law No. 95-049; and,
 - (ii) That the Real Estate Division be authorized and directed to sell these properties in accordance with the Real Property Sales Procedural By-law; and,
 - (b)
 - (i) That an Offer to Purchase (Highway Closure) lands composed of the southerly half of the public walkway, designated as Part 2 on Plan 62R-14304 for the price of \$2, executed by G. & M. Kelly, dated 1997 November 24, be accepted. The said land has a frontage of 2.295 metres (7.53 feet) more or less, on Harbottle Court and contains an area of 69.7 square metres (750.27 square feet) more or less, said transaction scheduled to close on 1998 May 15. Funds derived from this sale be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and,
 - (ii) That the Commissioner of Transportation be authorized and directed to prepare a by-law to sell Part 2, Plan 62R-14304; and,
 - (iii) That the City Solicitor be authorized and directed to prepare the necessary transfer documents; and,
 - (iv) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (1) satisfactory notice has been given to the public of the intended sale; and,

- (2) no appraisal of fair market value of the real property intended to be sold has been obtained as Highway(Public Walkway) Closures and Sales are exempt from the appraisal requirement of Section 193 of the Municipal Act.
- 70.
 - (a)
 - (i) That the lands composed of the southerly half of the public walkway, designated as Part 1 on Plan 62R-14304, be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law No. 95-049; and,
 - (ii) That the Real Estate Division be authorized and directed to sell these properties in accordance with the Real Property Sales Procedural By-law; and,
 - (b)
 - (i) That an Offer to Purchase (Highway Closure) lands composed of the southerly half of the public walkway, designated as Part 1 on Plan 62R-14304 for the price of \$2, executed by A. Faiazza, dated 1997 November 24, be accepted. The said land has a frontage of 2.295 metres (7.53 feet) more or less, on Harbottle Court and contains an area of 69.1 square metres (743.8 square feet) more or less, said transaction scheduled to close on 1998 May 15. Funds derived from this sale be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and,
 - (ii) That the Commissioner of Transportation be authorized and directed to prepare a by-law to sell Part 1, Plan 62R-14304; and,
 - (iii) That the City Solicitor be authorized and directed to prepare the necessary transfer documents; and,
 - (iv) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (1) satisfactory notice has been given to the public of the intended sale; and,
 - (2) no appraisal of fair market value of the real property intended to be sold has been obtained as Highway(Public Walkway) Closures and Sales are exempt from the appraisal requirement of Section 193 of the Municipal Act.

71. That Section 33 (f) of the Ninth Report of the Transport and Environment Committee for 1996 approved by City Council on 1996 June 25, be amended to read "That the 7% overhead charges by the Region estimated at \$577,000 not eligible for funding in the Canada/Ontario Infrastructure Works Projects M1610107, M1610108, M1610110 and 5-1610101 be financed from residual funds available in the 1992 and 1993 Reconstruction Programs."
72. That the City Purchasing Division be authorized to stock orange fluorescent safety clothing for the use of City C.U.P.E. Local 5 and Local 167 outside workers as a substitution for their grey issue clothing, for work environments when higher visibility will improve worker safety.
73. That the City implement a practice of announcing a Snow Advisory Warning, prior to and possibly in place of declaring an actual snow emergency, to warn motorists of impending extreme winter weather driving conditions and to request motorists to park off-street wherever possible in order to facilitate efficient snow removal operations and traffic safety.
74.
 - (a) That a School Crossing Guard be assigned to the intersection of Glen Vista Drive and Greenhill Avenue during the morning and evening school crossing periods only from 1998 January 5, up until approval of the 1998 Departmental Budget; and,
 - (b) That consideration be given in the 1998 Current Budget deliberations for an expansion package of \$4,000 plus administrative costs for a School Crossing Guard at this location on a permanent basis.
75.
 - (a) That a School Crossing Guard be assigned to the intersection of Cannon Street East and Gage Avenue North during the morning and evening school crossing periods only from 1998 January 5, up until approval of the 1998 Departmental Budget; and,
 - (b) That consideration be given in the 1998 Current Budget deliberations for an expansion package of \$4,000 plus administrative costs for a School Crossing Guard at this location on a permanent basis.
76.
 - (a) That a School Crossing Guard be assigned to the intersection of Mary Street and Picton Street East during the morning and evening school crossing periods only from 1998 January 5, up until approval of the 1998 Departmental Budget; and,

- (b) That consideration be given in the 1998 Current Budget deliberations for an expansion package of \$4,000 plus administrative costs for a School Crossing Guard at this location on a permanent basis.
- 77. (a) That a second School Crossing Guard be assigned to the intersection of Albright Road and Mount Albion Road during the morning and evening school crossing periods only, from 1998 January 5 up until approval of the 1998 Departmental Budget; and,
 - (b) That consideration be given in the 1998 current budget deliberations for an expansion package of \$4,000 plus administrative costs for a school crossing guard at this location on a permanent basis.
- 78. (a) That a School Crossing Guard be assigned to the intersection of Hester Street and Upper Wellington Street during the morning and evening school crossing periods only for the balance of 1997 and up until the approval of the 1998 Departmental Budget; and,
 - (b) That consideration be given in the 1998 Current Budget deliberations for an expansion package of \$4,000 plus administrative costs for a School Crossing Guard at this location on a permanent basis.
- 79. That all-way stop control be implemented at the intersection of Locke Street North and Florence Street, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 80. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated costs of services in

"Highridge South - Phase III"

City's Share - \$ 84,380.35 Owner's Share - \$ 914,061.94

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Highridge South - Phase III" as well as and any other related documents for this Subdivision subject to the approval of the City Solicitor; and,
- (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement has been registered; and,

- (d) In the event that the Owners wish to proceed prior to registration of the Final Plan and Subdivision Agreement being registered, the Owners should be allowed to do so at their own risk provided that the Owners enter into a standard agreement with the City of Hamilton for pre-servicing; and,
 - (e) That the Finance and Administration Committee recommend the method of financing the City's share of this project.
81. (a) That approval be given to the actions taken by the Chief Administrative Officer in authorizing additional funding in the amount of \$100,000 for the construction of Sirente Drive from Upper Wellington Street to Cyprus Drive due to additional elements included in the detailed design of the project to compensate for poorer soil conditions encountered at this time of year; and,
- (b) That the gross cost of the above project be increased from \$200,000 to \$300,000 and the additional funding of \$100,000 be financed from the Reserve for Services Through Unsubdivided Lands, Account Centre No. CH00107.
82. (a) That the Ministry of Environment and Energy be requested to report to and update the Transport and Environment Committee on a regular basis, all complaints, charges, status of compliance and prosecution respecting the operation of CleanSoils Ltd.; and,
- (b) That Mr. Brian Hinkley, Hamilton Harbour Commissioner, be requested to provide the City of Hamilton with the details of the Hamilton Harbour Commission lease to CleanSoils Ltd. for their site on Eastport Drive.
83. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) A-1 A By-law to Incorporate City Land Designated as Block 39, Plan 62M-806 into Bolzano Drive
 - (b) A-2 A By-law to Incorporate City Land Designated as Part 1 on Plan 62R-13808 into Alfrin Court
 - (c) A-3 A By-law to Incorporate City Land Designated as Blocks 28 and 29, Plan 62M-808 into Fano Drive
 - (d) A-4 A By-law to Incorporate City Land Designated as Block 55, Plan 62M-743 into Mapleridge Drive

- (e) A-5 A By-law to Incorporate City Land Designated as Part 1, Plan 62R-14281 into Linden Street
- (f) A-6 A By-law to Incorporate City Land Designated as Block 32, Plan 62M-745 into Lockheed Drive
- (g) A-7 A By-law to Incorporate City Land Designated as Part 1, Plan 62R-14308 into Sirente Drive
- (h) A-8 A By-law to Sell a Closed Portion of Garside Avenue North Designated as Part 1 on Plan 62R-13955
- (i) A-9 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic
- (j) A-10 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

**ALDERMAN C. COLLINS, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

Kevin C. Christenson, Secretary

1997 December 11

Appendix "A" as referred to in
Section 62 of the First Report
of the Transport and Environment
Committee

<u>Location</u>	<u>Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual Fee</u>
Birmingham St.	33 Beach Road	S. Kusminsky	Portion of a Frame Garage measuring 3.0m x 4.50m	\$184/20
Pearl St. S. Jackson St. W.	311 Jackson St. W.	D. Montford	Portion of Building on Pearl St. measuring 1.5m x 12.10m Steps on Jackson St. measuring 1.0m x 1.10m	\$184/20
Assumed Alley	176 East 18th Street	A. Freire	Portion of a Frame Garage measuring 1.00m x 4.96m	\$184/20
Assumed Alley	178 East 18th Street	F.&E. Gardner	Portion of a Frame Garage measuring 1.01m x 4.96m	\$184/20
East 13th Street	363 East 13th Street	Ambridge and Moore	Steps measuring 0.4m x 5.60m	\$184/20

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FIRST** Report and respectfully recommends:

1. That approval be given to the Director of the Department of Culture and Recreation to host a placement student from the Collections Conservation and Management Programme, Sir Sanford Fleming College under the supervision of the Cultural Division Conservator from 1998 January to 1998 April.
2. That a blanket purchase order be issued to Parsons Precast Inc., Hamilton to supply and deliver various size grave crypts (liners) as and when required during 1998, 1999 and 2000 in accordance with the specification issued by the Purchasing Department and Vendor's tender at the following prices, and that this expenditure be financed through Sale of Crypts Account No. CH44332 63169:

Youth	\$310.00
Standard	\$315.00
Intermediate	\$335.00
Oversize	\$360.00

PST included at 8%. GST extra at 7%

3. That the Director of the Department of Culture and Recreation be authorized to enter into discussions with McMaster University to examine options to expand the present six week Archaeological Field School at Dundurn Castle.
4.
 - (a) That the Corporation of the City of Hamilton enter into a Lease with Union Gas Limited for a parcel of City owned land located at No. 534 Dundurn Street South, containing approximately 29.2 square metres (957 square feet) more or less, for the operation of a pressure reducing and measuring station only; and,
 - (b) That the term be for a period of five (5) years commencing 1997 August 1 and expiring 2002 July 31, at a rental rate of \$1,000 per year plus any applicable taxes (\$3,450.64 for 1997), and proceeds be credited to Account No. CH44104 31106 (Rental Civic Property-Civic Properties Rented); and,

- (c) That the tenant shall have the option to renew the Lease for a further five (5) year period, with the rate and terms to be mutually agreed upon six (6) months prior to the expiry of the Lease; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.
- 5. That an amount of \$630 be returned to the City of Hamilton for subsidizing the 1997 Ontario Chapter, Canadian Public Works Association's Golf Tournament at King's Forest Golf Course on Thursday, 1997 June 19.
- 6.
 - (a) That a contract be awarded to Triple Crown Enterprises Ltd. in the amount of \$77,400 including G.S.T. for the Barrier Free Design Modification of the seven (7) buildings at various locations in Hamilton; and,
 - (b) That a contract satisfactory to the City Solicitor be entered into between the City and Triple Crown Enterprises Ltd., No. 170 Shaw Street, Hamilton, Ontario; and,
 - (c) That the Building Commissioner be authorized to carry a \$16,000 Project Contingency to cover any additional unforeseen items which may arise; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the associated contract in a form satisfactory to the City Solicitor; and,
 - (e) That these expenditures be funded from the Account: Barrier Free Design Modifications CF809453005.
- 7.
 - (a) That a contract be awarded to STF Construction in the amount of \$256,742.22 including G.S.T. for the modification of eleven (11) buildings at various locations in the City of Hamilton; and,
 - (b) That a contract satisfactory to the City Solicitor be entered into between the City and STF Construction Limited, No. 148 Stapleton Avenue, Hamilton, Ontario; and,
 - (c) That the Building Commissioner be authorized to carry a \$52,000 Project Contingency to cover any additional unforeseen items which may arise; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the associated contract in a form satisfactory to the City Solicitor; and,

- (e) That these expenditures be funded from the Account: Barrier Free Design Modifications CF809453005.
- 8.
- (a) That all revenue derived from the estate of the late Ronald and Bertram Veevers and determined surplus to project requirements be carried over annually to the next fiscal year and deposited in an account acceptable to the City Treasurer; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to utilize this funding source annually for the purpose of covering expenditures associated with the approved Long Term Use of "Glen Manor" and maintenance and operating costs in accordance with the last wills of Ronald and Bertram Veevers; and,
 - (c) That implementation of the Long Term Use Plan be subject to approval of an annual Budget from the identified funding source, as part of the annual lease terms.
- 9.
- (a)
 - (i) That the Red Hill Creek valley lands required for the construction of the proposed Red Hill Creek Expressway (North South Section) as described below, be declared surplus to the requirements of the City of Hamilton in accordance with the Real Property Sales Procedural By-law No. 95-049; and,
 - (ii) That the Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049; and,
 - (b)
 - (i) That an Offer to Purchase City owned lands located between Mud Street to the south and the CNR line (between Brampton and Barton Streets) to the north in the Red Hill Valley for the price of \$3,222,000, executed by the Regional Municipality of Hamilton-Wentworth, dated 1997 November 11, be approved and completed. The said lands described below, comprising 65.388 hectares (161.574 acres), are required for the North-South Section of the Red Hill Creek Expressway, with various parts on Plans 62R-11198, 62R-11194 and 62R-11187 being subject to easements in favour of Ontario Hydro, Trans Northern Pipelines and the Region of Hamilton-Wentworth (Sewer), said transaction scheduled to close on 1998 March 28. Funds derived from this sale be credited to Account No. CH4X501 00102 (Reserve for Property Purchases):

Parts 1, 2 and 4 to 12, Plan 62R-11198
Parts 6, 7, 15 and 16, Plan 62R-11194
Parts 1 to 7, Plan 62R-11187

Parts 2, 4 and 8, Plan 62R-11164
Parts 4, 5, 6, 7 and 9, Plan 62R-11165
Part 4, Plan 62R-11340
Part 1, Plan 62R-11287, save and except Part 2, Plan 62R-12235
Part 2, Plan 62R-11249
Part 1, Plan 62R-11231
Part 1, Plan 62R-11263, save and except Part 1, Plan 62R-11580
Parts 2, 3, 4 and 5, Plan 62R-11267; and,

(ii) That the following clauses or partial clauses are included in the Offer to Purchase:

- (1) this transaction shall be closed on or before the 1998 March 28 in accordance with and subject to the following provisions:
 - (aa) the subject property is legally described in Schedule "A" attached to the agreement in eleven (11) parcels, each parcel pursuant to a distinct Reference Plan; and,
 - (bb) the first six parcels listed in Schedule "A" attached to the agreement shall be closed on or before 1998 March 27 subject to the passage of the authorizing By-law provided for in paragraph 7(k-a) of the agreement and the remaining five parcels shall be closed on or before 1998 March 28; and,
 - (cc) if requested by the Purchaser, the Vendor, in its discretion, may agree to close the sale of part or parts of the subject lands on or before the said closing dates for a price which is the same percentage of the total purchase price for that category of land use (ie., subdivision, hazard land, etc.) hereunder as the percentage which the area of the lands to be closed bears to the area of the total lands for that category of land use (ie., subdivision, hazard land, etc.) which are subject of this Agreement; and,
 - (dd) that the sale of those portions of the first and third parcels in Schedule "A" attached to the agreement that are subject to easements in favour of Trans-Northern Pipelines Inc. identified as Parts 8 and 11, Plan 62R-11198 and Parts 4 and 6, Plan 62R-11187, shall be closed 30 days after:

- (A) the existing pipeline has been relocated by and at the expense of Trans-Northern Pipelines Inc. to the satisfaction of the Purchaser; and,
 - (B) the Purchaser informs in writing, the Vendor that the Purchaser is satisfied with the relocation of the Pipeline; and,
 - (C) the Vendor informs the Purchaser that the conditions set out below in favour of the Vendor have been satisfied; and,
- (ee) upon acceptance of this Offer, the City shall give notice to Trans-Northern Pipelines Inc. to relocate its pipeline to the parcel of land and/or alignment as designated and described by the Purchaser, which the Purchaser shall provide at that time; and,
- (ff) the Vendor will give the said Notice according to the terms of the easement agreement to have the pipeline relocated, at no cost to the Vendor or the Purchaser, however, the Vendor makes no representation to the Purchaser as to whether or not the said notice will be effective to have the pipeline relocated by and at the expense of Trans-Northern Pipelines Inc.; and,
- (gg) the agreement resulting from the acceptance of this offer is conditional until the 30th day following acceptance upon the Vendor providing written assurances from TNP directed to both the Vendor and the Purchaser, in a form reasonably satisfactory to the Purchaser's solicitors, that:
- (A) TNP will relocate its pipeline within one year from the date it receives the notice to relocate from the City (in accordance with Clause 7(e) of the agreement) at TNP's sole expense in accordance with Clause 9 of the agreement of the license between the City of Hamilton and TNP dated 1977 October 28; and,
 - (B) that it agrees to the assignment of the before mentioned license from the City of Hamilton to the Regional Municipality of Hamilton-Wentworth, in a

form reasonably satisfactory to the Purchaser's solicitors; and,

- (C) that it acknowledges that the Vendor and Purchaser are relying upon the assurances given;

failing which this agreement shall be null and void and the Purchaser's deposit shall be returned; and,

- (hh) in the event that pipeline relocation will result in the pipeline being relocated upon land owned by the Region, the Region shall grant an easement to Trans-Northern Pipelines Inc. for the new location; and,

- (ii) in the event that pipeline relocation results in a larger area of the Vendor's land being occupied by the pipeline than the area being vacated by the existing pipeline, the Vendor will grant an easement to Trans-Northern Pipelines Inc. across its lands, to facilitate the Region's grant of easement to TNP across the lands being acquired by the Region:

- (A) the Purchaser acknowledges that it will be responsible for the surveying cost and the cost of any remedial landscaping work incurred by the City as a result of the City's grant of easement to TNP in accordance with this clause up to but not exceeding \$100,000. . . .

- (B) the Purchaser agrees to compensate the Vendor for the fair market value of the Vendor's lands subject to the relocated TNP easement in excess of 1/2 acre (2,023.5 square metres) net of the area of the City's lands presently subject to TNP's existing easement

- (jj) the closing of the sale by the Vendor of the subject property is also conditional upon the Vendor enacting a By-law to authorize the sale of the closed former highways included in the lands intended to be sold, which closed highways are listed on Schedule 'D' attached to the agreement, and upon the compliance by the Vendor with the procedures for that purpose in the Municipal Act. In the event that the Vendor does not enact a By-law(s) for the sale of the closed highways and does not complete the

conveyance of the closed highways described in Schedule 'D' attached to the agreement on or before 1998 March 27, the Purchaser and the Vendor agree that this Agreement of Purchase and Sale shall be null and void and the deposit, if any, received by the City from the Purchaser shall be returned to the Purchaser without deduction or interest and the Purchaser agrees that it shall have no claim against the City for any cost, expense, interest, claim or damages as a result of the termination of this Agreement. The Purchaser at its expense shall deposit plans of survey as Reference Plans of the subject closed highways. . . .

- (2) the deed to the Purchaser shall be subject to and include the Purchaser's covenants regarding the Red Hill Creek Expressway in favour of the City set out below and the deed to the Purchaser shall be executed by the Purchaser (for purposes of the said covenants, in favour of the City), well in advance of closing and prior to the execution of the deed by the City; and,

in consideration for the grant of the hereinbefore described land to the Purchaser, in addition to payment of the sale price to the City, the Purchaser covenants and agrees to and with the City:

- (aa) that the Purchaser (Regional Municipality of Hamilton-Wentworth) shall use the lands described in Box 5 of the Transfer/Deeds only for the Red Hill Creek Expressway and other lawful related or ancillary uses; and,
- (bb) that the Purchaser (Regional Municipality of Hamilton-Wentworth) hereby grants to the Vendor (The Corporation of the City of Hamilton) an Option to Purchase the subject lands from the Region if The Regional Municipality of Hamilton-Wentworth has not substantially completed construction of the Red Hill Creek Expressway on or before 2011 January 1. The Corporation of the City of Hamilton, may, in its discretion, exercise the said Option by written Notice to The Regional Municipality of Hamilton-Wentworth, to require The Regional Municipality of Hamilton-Wentworth to reconvey to The Corporation of the City of Hamilton free and clear of all encumbrances (other than registered easements,) the lands or part(s) thereof not so used, at the price set out in the Transfer/Deeds (or if part(s) of the lands, a proportionate amount of the price for the category of land use as the case

may be). The benefit of this option is not assignable by The Corporation of the City of Hamilton; and,

- (cc) that if the Purchaser (Regional Municipality of Hamilton-Wentworth) decides to dispose of some or all of the lands described in Box 5 of the Transfer/Deeds, The Regional Municipality of Hamilton-Wentworth first shall offer the lands to be disposed of to the Vendor (The Corporation of the City of Hamilton) at or for the price (or a proportionate amount of the price for that category of land use in the event of the disposition of only some of the said lands) set out in the relevant Transfer/Deeds. The benefit of this covenant and agreement is not assignable by The Corporation of the City of Hamilton; and,
- (3) (aa) the Purchaser agrees that it does not require of the Vendor, environmental searches, investigation, studies, or assessments as a condition of this transaction and waives any and all requirements and rights in this regard and covenants and agrees that it is purchasing the subject lands on an "as is" basis. The Vendor makes no representation, warranty, condition either express or implied as to soil or other environmental conditions, utilities and fitness for the Purchaser's intended use(s). The Purchaser shall inspect the property and satisfy itself in respect of such matters prior to submitting this Offer. The purchaser acknowledges that it is acquiring the property "as-is", that it has inspected the property and made its own inquiries as to past and present use. The vendor has not made any warranties or representations relating to the condition of the property whether patent or latent and the purchaser so acknowledges; and,
- (bb) notwithstanding any other provision to the contrary in this Agreement, the Purchaser acknowledges and agrees that the Purchaser is responsible for existing contaminants and other wastes (if any) (hereinafter called the "contaminants") situate upon and within the subject property and that the Purchaser is responsible for the costs and any liability or claim which may arise as a result thereof including orders from any governmental authority including liability for the clean up of spills or in tort; and,

- (4) (aa) the Purchaser covenants and agrees with the Vendor that, in addition to the fair market value sale price payable by the Purchaser to the City:
 - (A) the Purchaser shall be responsible for any significant damage caused by its agents, contractors or employees to adjacent land and highways of the Vendor and shall, as far as reasonably possible, replace or repair, at its expense, any soil, turf or ground coverings, pavement or equipment removed or damaged in connection with any of the Freeway Work and shall repair any damage caused by the Purchaser, its agents, contractors or employees, in the exercise of its rights pursuant to this Agreement, to the lands of the Vendor adjacent to the subject lands; and,
 - (B) the Purchaser shall replace, cure or restore, at its expense any significant trees, shrubs, or plantings located on the Vendor's lands adjacent to the subject lands, which become diseased or damaged as a result of the Purchaser's construction, operation or maintenance of the Expressway for a period within 3 years after the opening of the freeway. In the event that the parties cannot agree upon the "significance of the trees, shrubs or plantings, either party may apply to the Director of the Royal Botanical Gardens (680 Plains Road West, Burlington, Ontario, L7T 4H4) or her/his designate to appoint an independent arborist who will decide whether the Purchaser caused the disease or damage, whether the tree, shrub or planting is "significant", the remedial action to be undertaken by the Purchaser, the cost to be borne by the respective parties in connection with the arborist's decision and any other relevant issues related to this clause. The parties hereto agree to compensate the Royal Botanical Gardens for the costs incurred by the Director or her/his designate in investigating the dispute in order to determine the appropriate independent arborist most suitable to settle the dispute between the parties; and,

- (C) the Purchaser shall comply with and implement at its expense the conditions of the Exemption Order dated 1997 March 5 issued as an Order in Council (582/97) by the Lieutenant Governor and the Executive Council of the Province of Ontario pursuant to the Environmental Assessment Act (Section 3.2); and,
- (D) the Purchaser shall be responsible to install, rectify, remedy and mitigate at its expense the impact and disruption caused by the Purchaser's construction on the land being acquired upon the lands being retained by the Vendor, their natural environment, including re-forestation, landscaping, sound barriers, creek diversion works, restoration of watershed, watershed works, as well as pedestrian, bicycle and vehicular paths and links, retaining walls, rerouted local traffic roads, curbs, sidewalks and lighting, municipal services, streets and traffic controls, recreational facilities and amenities.
Said impact and disruption caused by the Purchaser's construction on the adjacent lands being retained by the City shall be determined by the Vendor and communicated to the Purchaser within three years after the opening of the Freeway; and,
- (E) in recognition of the extraordinary one time expenses and costs to be incurred by the Vendor as a result of the Purchaser's Freeway project, the Purchaser undertakes to reimburse the Vendor for the costs incurred by the Vendor for consulting services and/or studies undertaken by it to determine and analyze the impact of the expressway on the adjacent lands of the City in an amount up to but not exceeding \$100,000 as soon as reasonably possible after the City justifies its costs to the Region's auditors These costs would include but not be limited to the costs of impact assessment studies and the evaluation of remediation alternatives and the development of mitigation alternatives. Whenever possible, the Vendor agrees to refer to the existing studies and reports already assembled by the Purchaser. The

Purchaser agrees to allow the Vendor access to review those studies . . .

(bb) Nothing in this section and in this Agreement is intended or shall:

- relieve the Purchaser from any obligation the Purchaser has at law or pursuant to the said Exemption Order; and,
- impose any liability upon the City to carry out or bear the cost of any obligation the Purchaser has at law or pursuant to the said Exemption Order; and,

(5) Dispute Resolution

- (aa) If any disagreement arises with respect to this Agreement the parties agree to attempt to settle the disagreement, in good faith and in a timely manner, with the assistance of a mutually agreed upon mediator; and,
- (bb) However, if the parties cannot agree upon a mediator either party may request the President of the Hamilton Law Association to appoint a mediator and the President's appointment shall be binding upon both parties; and,
- (cc) If the parties are unable to resolve their disagreement within 45 days from the day the mediator was selected or appointed, then the disagreement shall be settled by a single arbitrator, in accordance with the provisions of the Arbitrations Act of Ontario, amended from time to time; and,
- (dd) If the parties cannot agree upon a single arbitrator then the disagreement shall be determined by a board of arbitrators composed of three arbitrators, one chosen by each of the parties and the third to be chosen by the two arbitrators selected by the parties; and,
- (ee) The decision of the arbitrator, or the majority of the three arbitrators, shall be final and binding upon the parties and judgement upon the award rendered by the arbitrator(s) may be entered in any court of competent jurisdiction; and,

- (ff) Each party shall bear their own costs of applying for or responding to an application for mediation and arbitration and shall share equally in compensating the mediators or arbitrators for their time, disbursements and applicable taxes; and,
- (iii) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (1) satisfactory notice has been given to the public of the intended sale; and,
 - (2) an appraisal of the fair market value of the real property intended to be sold was obtained on 1997 November 18; and,
- (c) That an Authority to Enter noted as Schedule "C" to the Offer to Purchase be approved, to permit entry by the Region:
 - (i) upon the subject land to be transferred for the purpose of surveying and conducting engineering and environmental investigations including soil tests, prior to the closing of the transaction; and,
 - (ii) upon the lands adjacent to the subject land to be retained by City for purposes noted in (i) and in order to implement remedial works necessary to mitigate any adverse impacts resulting from the construction of the Freeway in accordance with the process approved in the Exemption Order, and the provisions of Clause 18.
- 10. (a) That approval be granted to the following Community councils to conduct horse drawn wagon rides, bonfires, skating parties, lumberjack Games/Demonstrations and various large Winterfest Family activities on the dates listed below:

Community Council	Date 1998	Location
Crown Point	January 31	Lloyd George School
North Central	January 31	North Central Park
Friends of Gage Park	January 31	Gage Park
Gourley Park	January 31	Gourley Park
Gilkson Park	January 31	Gilkson Park
Riverdale	February 1	Warden Park
St. Clair	February 1	Myrtle Park
Eleanor	February 1	Eleanor Park

Strathcona	February 1	Victoria Park
McCulloch Park	February 1	McCulloch Park
Churchill Park	February 1	Churchill Park; and,

- (b) That approval be granted to hold midway rides in the Leander Boat Club parking lot on 1998 February 6, February 7 and February 8 as part of the Winterfest Carnival subject to the Special Event Guidelines Terms and conditions; and,
- (c) That permission be granted as required by Parks By-law No. 95-125 as amended Section 5, 12 (a) and Section 35 to hold a fireworks display, bonfires and bring animals into Chedoke Winter Sports Park, Pier 4 Park and Bayfront Park on 1998 February 6, February 7 and February 8 and in the specified parks mentioned in this report.

Respectfully Submitted,

**ALDERMAN B. MORELLI, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson, Secretary
1997 December 11**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIRST** Report and respectfully recommends:

1. (a) That approval be given to the request by Timothy Canadian Reformed School Society, et.al., owners for a revision to the Draft Approved Plan of Subdivision "Timothy Survey", File No. 25T-94001(R), for 22 lots for single detached dwellings and two blocks for institutional uses, on lands located north of the future extension of Crerar Drive, west of Upper Wentworth Street in the Crerar Neighbourhood, as shown on the attached map marked as Appendix "A" subject to the following conditions:
 - (i) That this approval apply to the plan, as revised in red, prepared by A.J. Clarke and Associates and certified by B.J. Clarke, O.L.S., dated July 24, 1997, showing 22 lots for single detached dwellings, two blocks for institutional uses and one street identified as Court "A", attached as Appendix "B"; and,
 - (ii) That Court "A" be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,
 - (iii) That the owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,
 - (iv) That the applicant/owner pay to the City and Region all outstanding road, real estate and servicing costs for Parts 5 and 6 on Reference Plan 62R-8492 on Aquilla Place; and,
 - (v) That 1m by 1m daylight triangles be established on the corner of Court "A" and Crerar Drive; and,
 - (vi) That Crerar Drive in "Timothy Survey" plan of subdivision be established and constructed to its full width; and,

- (vii) That the final plan conform with the Zoning By-law approved under the Planning Act; and,
 - (viii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan; and,
 - (ix) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,
 - (x) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,
 - (xi) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes; and,
 - (xii) The owner must enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands; and,
 - (xiii) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of the subject lands; and,
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-94001(R)), Timothy Canadian Reformed School Society of Hamilton and Canadian Reformed Society for a Home for the Aged Inc., owner, proposed revised draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,
- (c) That the approved Crerar Neighbourhood Plan be amended to redesignate the subject lands from "Civic & Institutional" to "Single and Double Residential" and to add the local street as per the revised draft plan of subdivision attached as Appendix "C"; and,
- (d) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.

2. (a) (i) That subject to subsection (ii) below, the Building Commissioner be authorized to deny an application for a demolition permit for the building located at 266-280 King Street East, in accordance with Demolition Control By-law 74-290 pursuant to the demolition control provisions of the Planning Act (sec.33); and,

(ii) That the Building Commissioner be authorized to issue a demolition permit for the building located at 266-280 King Street East subject to the following conditions:
 - (1) the applicant has applied for and received a building permit for a replacement building on this property; and,
 - (2) the said building permit specifies that replacement building be erected within four years of the demolition of the existing building on this property; and,
 - (3) the said building permit for the replacement building specifies if such replacement building is not erected within the said four year time limit, that the City be paid the sum of \$340,000 (\$20,000 for each of the seventeen dwelling units of the existing building that were demolished); and,
 - (4) the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the City Clerk listed below) in a form satisfactory to the Building Commissioner and to the City Solicitor; and,
 - (5) if the said replacement building is not erected as required, the City Clerk be authorized to add the said sum to the collector's roll, which sum shall remain a lien upon the property until paid; and,
 - (b) That Section (4) of the Second Report of the Planning and Development Committee adopted by Council 1996 February 13 be rescinded.
3. (a) That the 180-day delay of demolition be applied to the designated property at 14 Belvidere Avenue known as "Bellevue", in accordance with the provisions of Section 34 of the Ontario Heritage Act, 1997; and,

(b) That the City Solicitor be authorized and directed to undertake the necessary action in this regard.

4.
 - (a) That the remainder of the 1997 Festival Allocation be approved towards the Barton Village BIA Promotional Reception Budget, attached hereto as Appendix "D", as part of the Festival component of the Barton Street Revitalization Program; and,
 - (b) That the City Treasurer be authorized and directed to forward \$6,089.42 to the Barton Village B.I.A.
5.
 - (a)
 - (i) That a secured loan in the amount of twenty-five thousand dollars (\$25,000) to Fernando & Maria DeSousa, for improvements to 302 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.63 per cent, amortized over 10 years; and,
 - (ii) That a grant from the Barton Street Revitalization Fund in the amount of twelve thousand, five hundred dollars (\$12,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program; and,
 - (b)
 - (i) That an unsecured loan from the Barton Street Revitalization Fund in the amount of five thousand dollars (\$5,000) to Fernando & Maria DeSousa, for improvements to 302 Barton Street East be approved, subject to fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.63 per cent, amortized over 10 years; and,
 - (ii) That a grant from the Barton Street Revitalization Fund in the amount of two thousand, five hundred dollars (\$2,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.
6.
 - (a)
 - (i) That a secured loan in the amount of twenty-five thousand dollars (\$25,000) to 972493 Ontario Limited, for improvements to 460 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.63 per cent, amortized over 10 years; and,
 - (ii) That a grant from the Barton Street Revitalization Fund in the amount of twelve thousand, five hundred dollars (\$12,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program; and,
 - (b)
 - (i) That an unsecured loan from the Barton Street Revitalization Fund in the amount of five thousand dollars (\$5,000) to 972493 Ontario Limited, for improvements to 460 Barton Street East be approved, subject to fulfilment

of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.63 per cent, amortized over 10 years; and,

- (ii) That a grant from the Barton Street Revitalization Fund in the amount of two thousand, five hundred dollars (\$2,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.
- 7. That the Building Commissioner be authorized to issue a demolition permit for 11 Emerald Street South in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
 - 8. That a grant under the Gore Heritage 2000 Program in the amount of \$40,000 to Aragon (King Street) Properties (Ontario) Ltd., registered owner of the former Woolworth building at 19-31 King Street East be approved for facade improvements.
 - 9. That a grant under the Gore Heritage 2000 Program in the amount of \$2,288 to Richard Gerofsky, Wilfred Gerofsky, and Molly Gerofsky, registered owners of 123-125 King Street East be approved for facade improvements.
 - 10.
 - (a) That approval be given to Zoning Application 96-14, 1104729 Ontario Limited (Allan Goulding), owner, requesting a removal of the 'H' (Holding) symbol provision under Section 36(1) of the Planning Act, R.S.O., 1990, to allow for the development of the subject lands for six (6) residential lots fronting Berkindale Drive (Block "1") and an auto repair garage, except paint and auto body repair, and a manual carwash consisting of eight(8) bays (Block "2") located at the rear of 141 Queenston Road, shown on the attached map marked as Appendix "E"; and,
 - (b) That the Director of the Planning and Development Department be directed to prepare a By-law to amend Zoning By-law No. 6593 as amended by By-law No. 96-041, for presentation to City Council.
 - 11. That the City of Hamilton accept the sum of \$ 33,750.00 in connection with "Rymal Square Estates - Phase 7", Hamilton, the sum of \$ 52,500.00 in connection with "Timothy Survey- Phase 1 and the sum of \$ 38,850.00 in connection with "Wisemount Estates - Phase 9" as the cash payments in lieu of the 5% land dedication required under Section 51 of the Planning Act.

12. That Schedule "A" to Site Plan Control By-law No. 79-275, as amended by By-law No. 87-233, be further amended by adding the lands located at No. 1200 Barton Street East, as shown on the attached Appendix "F", and that the Site Plan Control By-law attached as Appendix "G", be presented to City Council for adoption.
13. (a) That City Council request the Regional Municipality of Hamilton Wentworth to modify Official Plan Amendment No. 143, for the property located at No. 220 Dundurn Street South, as shown on the attached map marked as Appendix "H", on the following basis:
 - (i) The following new Policy be added to Section A.2.9.3 - Other Policy Areas as Policy A.2.9.3.69:
 - (1) "That notwithstanding Policy A.2.3.7, Residential uses shall be permitted within 400 metres of a heavy industrial area"; and,
 - (ii) The following be added to Schedule "B" - Other Special Policy Areas:
 - (1) "Special Policy Area No. 74"; and,
 - (2) "Area 74 refer to Policy A.2.9.3.69" in the legend, as shown on the attached Schedule "B"; and,
- (b) That the City Clerk be requested to inform the Region of the City's decision.
14. (a) That approval be given to Part Lot Control Application 97-04, 822827 Ontario Inc. (J. Parente, owner, to remove part-lot control from Registered Plan 62M-826, "Wisemount Estates - Phase 8", as shown on the attached map marked as Appendix "I"; and,
- (b) That the City Solicitor be directed to prepare a By-law to remove part lot control from Registered Plan 62M-826 "Wisemount Estates, Phase 8" plan of subdivision, for presentation to City Council; and,
- (c) That following the enactment of this By-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the By-law and endorse the same on the By-law.
15. (a) That Schedule "B" of By-law No. 97-196, appointing the Barton Village B.I.A. Board of Management, be repealed and the following names substituted:

Schedule "B"

K. Cody	Codys Home Decor Inc.
M. Tollis	The Riviera Banquet Centre
J. Hilger	Ways to Wisdom
M. Wright	Bank of Montreal
D. Tranor	Dell Pharmacy
N. LaSala	Nick's Auto Service
J. Howard	Econ-o-wash Laundry

- (b) That the City Solicitor be directed to amend Schedule "B" of By-law No. 97-196 pursuant to (a) above.

16. (a) That Schedule "B" of By-law No. 97-209, appointing the Downtown Hamilton B.I.A. Board of Management, be repealed and the following names substituted:

Schedule "B"

J. Livingston	Livingston Furs
R. Harris	Harris and Henderson
A. Peckham	The Royal Bank
R. Ianuzzi	Canadian Imperial Bank of Commerce
K. Findlay	KD Findlay
G. Attard	The Ramada Hotel
D. Broker	Royal Connaught Howard Johnson Hotel
R. Titian	Reggie's Music and Sound
R. Letourneau	Just Imagine Printing
A. Herpers	Herpers, Gowling Inc.
R. Sorenson	Sundried Tomatoes
M. McNally	Jessey Investments
K. Wiegand	McCarthy Hearing Aids

- (b) That the City Solicitor be directed to amend Schedule "B" of By-law No. 97-209 pursuant to (a) above.

17. (a) That Schedule "B" of By-law No. 97-176 appointing the Ottawa Street B.I.A. Board of Management be repealed and the following names substituted:

Schedule "B"

John Driscoll	Ottawa Market and Discount Center
John Gut	Textile Centre
Tony Bifano	Anton Video

Greta Munt	Greta's Flair
Daniel Kwiatkowski	Beach Road Meats
Toby Yull	Toby's Interior Design
John Bazinet	L. G. Wallace Funeral Home
Irena Bogovic	Adriana's Love Angels
Bill Hodge	Hamilton Vacuum Supply
Manny Fresco	Campbell Glass and Mirror

- (b) That the City Solicitor be authorized and directed to amend By-law No. 97-176 pursuant to (a) above.

18. (a) That Schedule "B" of By-law No. 97-197, appointing the Main Street West Esplanade B.I.A. Board of Management, be repealed and the following names substituted:

Schedule "B"

J. Bourinot	Dairy Queen
I. Kobylanski	Izzy's Restaurants
M. Farrugia	Calla Decor and Design
J. Castellano	Castellano Real Estate
J. Morrison	Royal Bank
B. Hughes	Tim Hortons
M. Gunn	Mor Car Wash

- (b) That the City Solicitor be authorized and directed to amend Schedule "B" of By-law No. 97-197, and replace it pursuant to (a) above.

19. (a) That the 1998 operating budget for the International Village B.I.A., attached hereto as Appendix "J", be approved in the amount of forty-nine thousand, five hundred and fifty dollars (\$49,550); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 1998 budget as referenced in (a) above; and,
- (c) That the following schedule of payments for 1998 be approved:

January 01	\$24,775.
September 01	\$24,775.

NOTE: 1997 levy arrears will be deducted from the payments for 1998.

20. That Schedules "A" and "B" of By-law No. 86-212, as amended, appointing the International Village B.I.A. Board of Management be repealed and the following names substituted:

Schedule "A"

Alderman A. Horwath
Alderman R. Corsini

Schedule "B"

Joe Collura	227 King Street East, Hotelevision (tenant)
John Kenyon	200 King Street East, Payne Music (tenant)
Paul Kircos	223-225 King Street East (owner)
Wolfgang Schoen	255 King Street East, The Black Forest (tenant)
Steve Stricker	225 King Street East, Wylde Tattoo (tenant)
Dean Taylor	233 King Street East, Hudsons (tenant)
Gord Thompson	190 King Street East (owner)

21. (a) That the 1998 operating budget of the Westdale Village B.I.A., attached hereto as Appendix "K", be approved in the amount of \$35,000; and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1998 budget as referenced in (a) above; and,
- (c) That the following Schedule of Payments for 1998 be approved:

January 01	\$11,000.
March 01	\$ 8,000.
June 01	\$ 8,000.
September 01	\$ 8,000.

NOTE: 1997 Levy arrears will be deducted from the payments for 1998

22. (a) That Schedule "B" of By-law No. 97-030 appointing the Westdale Village BIA Board of Management be repealed and the following names substituted:

Mary Beth Ledden	Judy Marsales Real Estate Ltd. 986 King St West, (Owner)
David Simpson	Simpson, Watson, & Vujnovic Lawyer 950 King St West, (Owner)
Gene Ditner	Cottage Florist 1033 King St West, (Owner)
Shelagh Snider	The Picture Frame 1045 King St West, (Owner)
John Mouskos	New Village Restaurant 988 King St West, (Owner)
David Thorne	Truth 1044 King St West, (Tenant)
Reg Lahie	Jack Carruth Shoes 1051 King St West, (Owner)

- (b) That the City Solicitor be authorized and directed to amend By-law 97-030 pursuant to (a) above.

23. That Schedule "A" and "B" of By-law No. 86-144, as amended, appointing the Concession Street B.I.A. Board of Management be repealed and the following names substituted:

Schedule "A"

Alderman T. Anderson
Alderman B. Kelly

Schedule "B"

Debbie Johnson	576B Concession St., Why Pay More (Tenant)
Paul Wharton	552 Concession St., Wharton Copy Print (Owner)
Rodger Burrough	588 Concession St., Camtech Photo Services (Owner)
Jan Engbers	540 Concession St., Toronto Dominion Bank (Owner)
John Woolcott	536 Concession St., Woolcott Shoes (Owner)
Betty Toplack	560 Concession St., Mountain Book Store (Tenant)

24. (a) That the 1998 operating budget of the Concession Street B.I.A., attached hereto as Appendix "L", be approved in the amount of \$12,000.; and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1998 budget as referenced in (a) above; and,

- (c) That the following Schedule of Payments for 1998 be approved:

January 01	\$3,000.
March 01	\$3,000.
June 01	\$3,000.
September 01	\$3,000.

NOTE: 1997 levy arrears will be deducted from the payments for 1998.

25. That a Heritage Permit be approved for the north unit (#109) of the 1850s semi-detached stone cottage at 109-111 Charles Street, located within the MacNab-Charles Heritage Conservation District, to undertake the following work:
- (a) rebuild the brick masonry wall (east facade) of the rear addition; and,
 - (b) re-install the existing six-over-six sash window in the new opening and install a new window to match in place of the present doorway (both windows to have arched brick lintels and stone sills to match the rear windows of 111 Charles Street).
26. That a letter be sent to the Historic Sites and Monuments Board of Canada requesting that the Hamilton Beach lighthouse complex, comprising the original 1858 stone Imperial Tower and the adjacent 1857 brick keeper's dwelling, be evaluated for recognition as a National Historic Site.
27. (a) That approval be given to Official Plan Amendment No. 145, Chedoke Terrace Inc., owner, for a redesignation from Industrial to Residential on Schedule "A" - Land Use Concept and to establish a "Special Policy Area" in the Official Plan, to permit the development of the lands for 172 townhouse units, for the property located at No. 100 Beddoe Drive (Lapp property), as shown on the attached map marked as Appendix "M", on the following basis:
- (i) the maximum number of townhouse units will be 172 comprised of 24 townhouse units in the woodlot, 72 units in the perimeter ("U" shaped) building and 76 interior townhouse units; and,
 - (ii) the maximum height of the townhouses shall not exceed 12.5 m and the turret feature on the community building shall not exceed 15 m; and,

- (iii) in accordance with Section A.2.1.3 iii), retail stores and services that serve the daily needs of the residents will be permitted within the perimeter building only; and,
- (iv) the lands will be subject to site plan control; and,
- (b) That upon finalization of the Official Plan Amendment, the approved Chedoke Park Neighbourhood Plan be amended by redesignating the subject lands from "Special Policy Area" to "Attached Housing"; and,
- (c) That Site Plan Control By-law No. 79-275, as amended by By-law No 87-223, be further amended by adding the lands located at 100 Beddoe Drive and the Director of Planning and Development be directed to prepare a By-law, to amend By-law 79-275, for presentation to City Council; and,
- (d) That the following conditions be imposed on the development in accordance with the Consolidated Board's decision:
 - (i) In addition to the standard requirements of the Site Plan Control Process, the following additional requirements will be imposed:
 - (1) a 4.5 m acoustical barrier shall be provided and maintained on the westerly limits of the property between the south end of the property and the southerly limits of the townhouses in the perimeter building, approximately 130 m); and,
 - (2) a 1.2 to 2.0 m visual barrier shall be provided and maintained along the westerly boundary between the most northerly point of the property and end of the townhouses in the perimeter building, approximately 150 m; and,
 - (3) a 3 m high acoustical barrier, approximately 20 m in length, shall be provided and maintained in the area of townhouses located within the woodlot to protect the most southerly row of townhouses and their amenity/rear yard area; and,
 - (4) a 3 m high acoustical barrier, approximately in length extend southerly from the wall of the eastern most townhouse unit in the most southerly row of townhouses; and,
 - (5) the Landscape Plan shall include the following details: the location, size, number and type of trees to be planted, predominantly native plant materials; a planting schedule and a maintenance statement that will require the care and replacement of

stock, and provision for the seeding or sodding of all disturbed areas within the first growing season following completion of construction; and,

- (6) a Tree Preservation Plan that shall include the following details: the location, size, number and type of trees to be retained; the method of protection from construction activity, i.e., fencing, wrapping, signing, wells around base of trees; if a woodlot is to be retained, its location should be clearly shown on a scaled site plan with the location of a limit of work fence accurately shown and trees defining the woodlot edge adjacent to development identified. (NOTE: grading near the base of trees to be preserved will not be permitted.); and,
- (7) that the applicant prepare and implement a stormwater management plan for the subject property to the satisfaction of the Hamilton Region Conservation Authority and the Manager, Development Engineering Section, Regional Environment Department. This plan shall address water quality and quantity issues and will ensure that post development flows will equal pre-development levels and that current provincial drainage and stormwater quality and quantity guidelines are implemented; and,
- (8) that prior to development, the Owner prepare and implement an erosion and sediment control plan to the satisfaction of the City of Hamilton and Hamilton Region Conservation Authority and that said plan comply with the following requirements:
 - (a) All erosion and sediment control measures will be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated; and,
 - (b) That the Owner provide a summary inspection report every 14 days, prepared by a qualified professional engineer, outlining the status of all erosion and sediment control measures after each rainfall, including remedial measures taken, to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department; and,
 - (c) Areas not scheduled for development within 45 days or over the winter months should be left with existing vegetation in

place. If the area has been previously graded, all disturbed areas should be revegetated using seed and mulch; and,

- (d) All disturbed areas will be revegetated with permanent cover immediately following completion of construction; and,
- (9) The applicant shall consider establishing a bus stop abutting the property; and,
- (ii) Prior to issuance of building permits, the working drawings must be certified by a professional engineer, registered in Ontario and competent in acoustics, to be in compliance with the approval conditions of the Joint Board and specifically to ensure that all units are designed to comply with the indoor sound level limits listed below accounting for idling locomotives in the rail yard:

	Rail(*)	dB A Road(*) Yard(**)	Works	
Bedrooms (2300-0700)	35	40	4	0
Living/Dining/Recreation Rooms (0700-2300)	40	45	45	

*LEQ for indicated time period

**LEQ for any hour

The acoustical certification shall be implemented by an original noise control certificate that is signed, stamped and dated by the acoustical engineer, and applied to each drawing; and,

- (iii) The interior sound levels in the bedrooms on the easterly exposed townhouses shall not exceed MOE interior noise guidelines. Similarly, the same units shall be designed to meet 35 dBA Leq from the idling locomotives on the sidings closest to the Rail Yard; and,
- (iv) Air conditioning shall be installed in all units; and,
- (v) The easterly four units of the south easterly row of townhouses in the woodlot shall be single aspect with any windows above the first floor pointing only toward the south or south east; and,

- (vi) The westerly row of townhouses in the woodlot shall be single aspect with any windows above the first floor pointing only toward the north; and,
- (vii) There shall be no windows, balconies, or amenity areas above the first floor in the end units of either the southwesterly row of townhouses or the westerly leg of the perimeter building; and,
- (viii) Balconies or other amenity areas above the first floor of the westerly unit of the southwestern row of townhouses shall not have line-of-sight to any portion of the Public Works Yard; and,
- (ix) The owner undertake a vibration study to the satisfaction of the St. Lawrence and Hudson Railway Company; and,
- (x) All of the units shall carry the following Warning Clause on all Agreements of Purchase and Sale or lease or reservation agreements and is to be registered on the title of the land:

"Occupants are advised that noise levels for the Public Works Yard and the Rail Yard may, at times be a concern, occasionally interfering with some activities of the dwelling occupants as the noise level may exceed the Ministry of Environment and Energy's noise guidelines."

The clause is to be to the satisfaction of the City Solicitor and the Director of the Planning and Development Department; and,

- (xi) A visual barrier, between 1.8 and 2.0 m in height, be installed at the expense of the owner, separating the Railway Property from Studholme Road for that area opposite the subject lands. The fence shall be constructed from the eastern most terminus of the existing fence along the Railway property on the north side of Studholme Road to a point directly north of the western boundary of the subject property. The Fence shall be constructed on City lands and designed and constructed to the satisfaction of the Commissioner of Public Works and Traffic Department and the Director of the Planning and Development Department; and,
- (xii) The owner pay 50% of the cost of constructing a sidewalk on the south side of Aberdeen Avenue between Studholme Road and the existing municipal sidewalk west of Chedoke Avenue; and,
- (xiii) Studholme Road is to be constructed to an urban cross section and the method of financing be determined by the Transport and Environment Committee; and,

- (xiv) Sidewalks shall be provided, at the owners cost, on Beddoe Drive and Studholme Road adjacent to the subject property; and,
- (xv) A sidewalk shall be provided, at the owners cost, along one side of Studholme Road from the east side of Beddoe Drive to Aberdeen Avenue; and,
- (xvi) Prior to the issuance of any building permits by the City of Hamilton, the applicant shall satisfy the Ministry of the Environment and Energy with respect to noise mitigation features for all buildings and structures; and,
- (xvii) Development shall take place only in accordance with the site plan and development permit application approved, except where special conditions are to apply; and,
- (xviii) The owner shall enter into a special servicing agreement with the Region to provide for the sanitary sewer connection from the subject lands to the intersection of Aberdeen Avenue and MacDonald Avenue. The cost of installing the sanitary sewer shall be paid for by the owner.

28. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

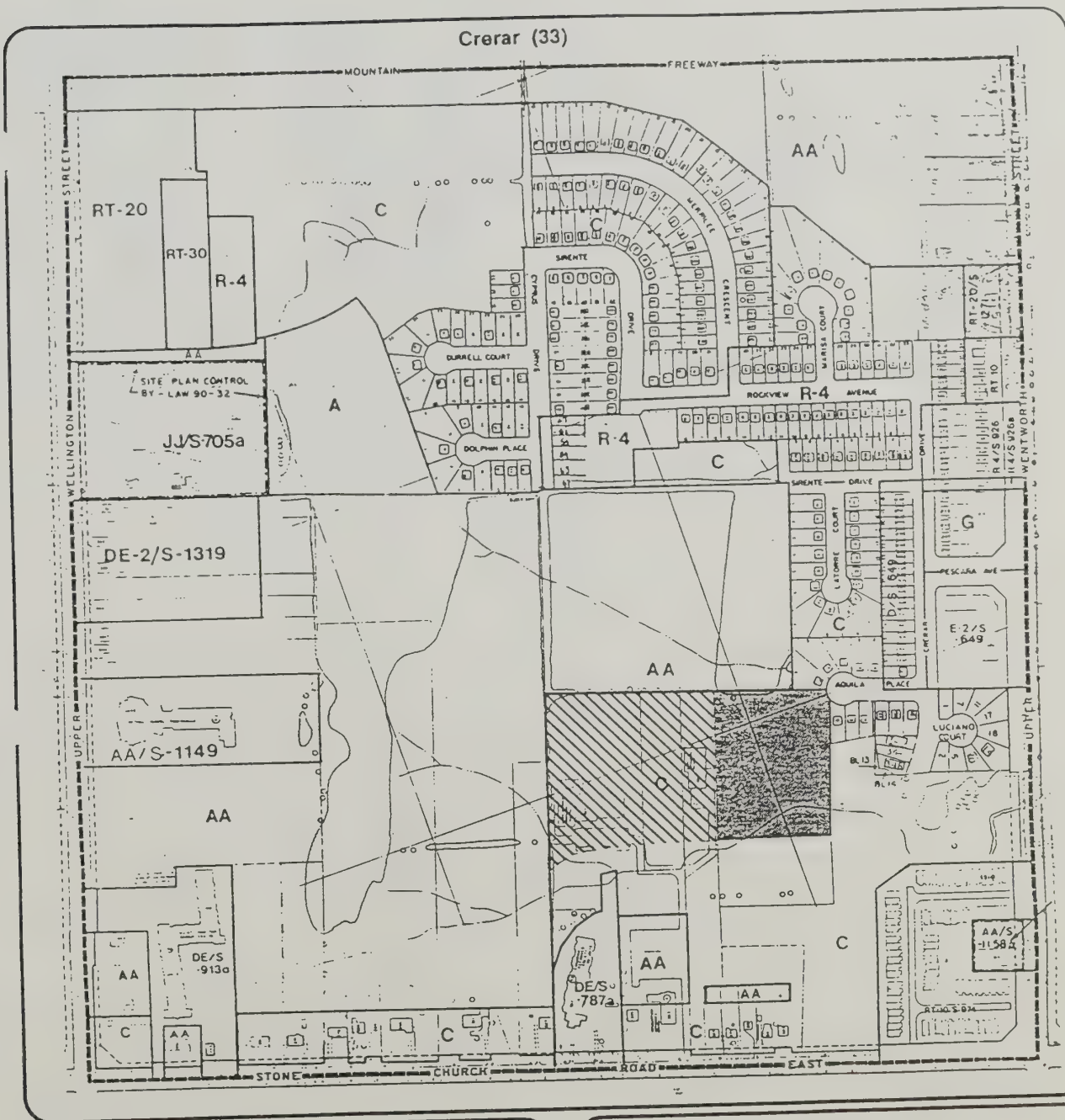
- (a) C-01 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 1200 Barton Street East.
- (b) C-02 A By-law to Amend By-law No. 87-178 as Amended by By-laws No. 96-019 and 97-157 Respecting the Barton Village Business Improvement Area.
- (c) C-03 A By-law to Amend By-law No. 82-151 as Amended by By-law No. 87-317 Respecting the Downtown Hamilton Business Improvement Area.
- (d) C-04 A By-law Concerning Benefits Derived from the Establishment of the Barton Village Business Improvement Area Respecting Westinghouse Canada Inc.'s Facilities at 29 Princess Street, 286 Sanford Avenue North, 30 Milton Avenue and 42 Westinghouse Avenue and the Levying of a Special Charge.
- (e) C-05 A By-law To Adopt Official Plan Amendment No. 144 Respecting Lands Located at 245 Mohawk Road West Within the Rolston Neighbourhood.
- (f) C-06 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 245 Mohawk Road West.

- (g) C-07 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 245 Mohawk Road West.
- (h) C-08 A By-law to Remove Land Within the "Wisemount Estates Phase 8" Subdivision, Plan 62M-826 from Part Lot Control.
- (i) C-09 A By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 96-041 Respecting Lands Located at the Rear of Municipal No. 141 Queenston Road.
- (j) C-10 A By-law to Adopt Official Plan Amendment No. 142 Respecting Lands Located at 1289 Upper James Street Within the Jerome Neighbourhood.
- (k) C-11 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1289 Upper James Street.
- (l) C-12 A By-law to Amend By-law No. 84-35 to Provide for Maintaining Land in a Clean and Clear Condition.
- (m) C-13 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal No. 220 Dundurn Street South.
- (n) C-14 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located North of Rymal Road East and West of Upper Wellington Street, Known Municipally as 1684 Upper Wellington Street.
- (o) C-15 A By-law to Amend By-law No. 97-208 to Remove Land Within the "Allison Estates - Phase 4" Subdivision, Plan 62M-823 from Part Lot Control.
- (p) C-16 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 780 Upper Paradise Road.
- (q) C-17 A By-law to Adopt Official Plan Amendment No. 145 Respecting Lands Located at 100 Beddoe Drive (Lapp Property) Within the Chedoke Park Neighbourhood.

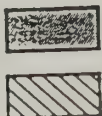
Respectfully submitted,

**ALDERMAN F. D'AMICO, CHAIRMAN
PLANNING AND DEVELOPMENT
COMMITTEE**

**Stella Glover, Secretary
1997 December 11**



Legend



Site of the Application

City of Hamilton

Location Map

Planning and Development Department

North

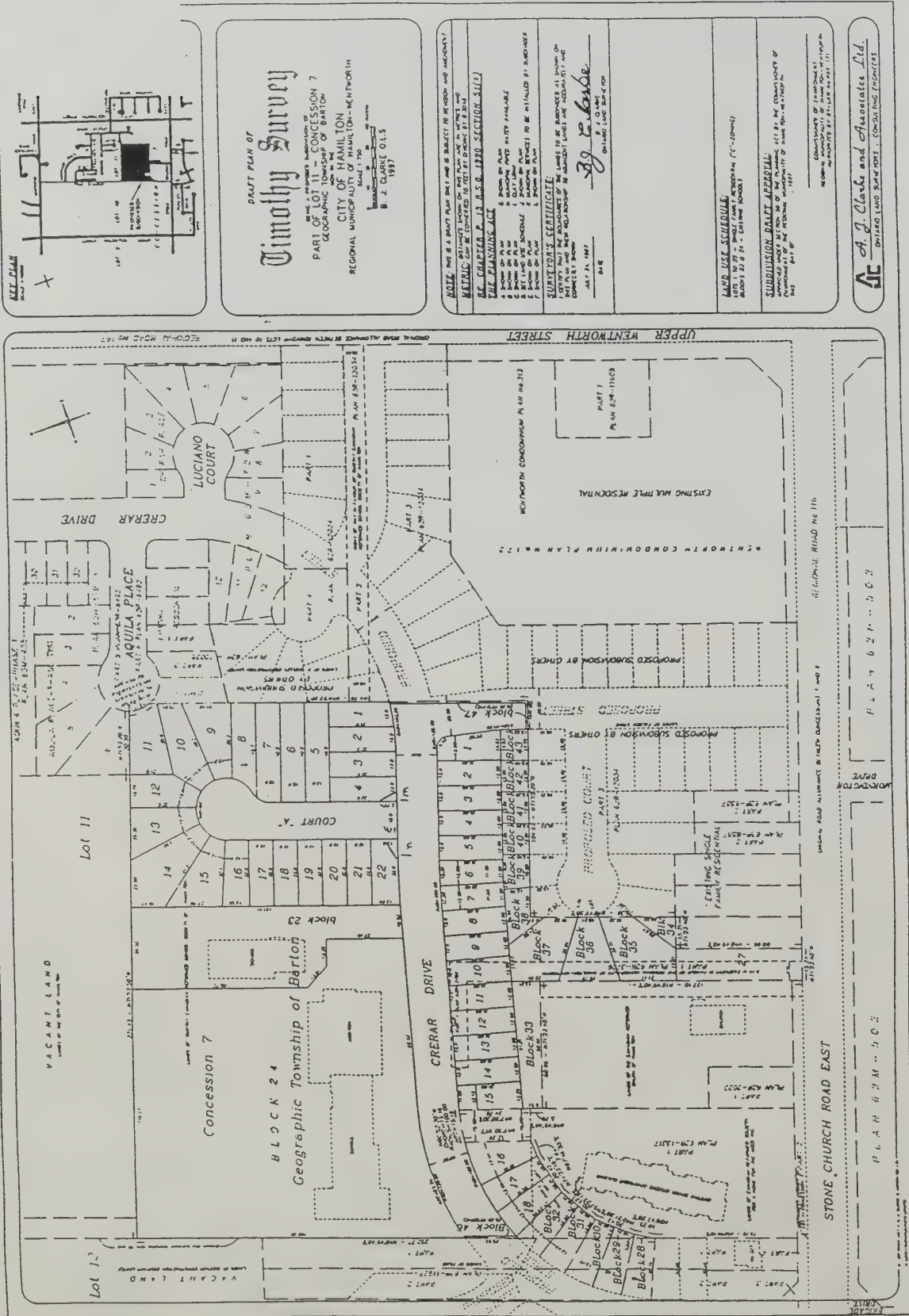


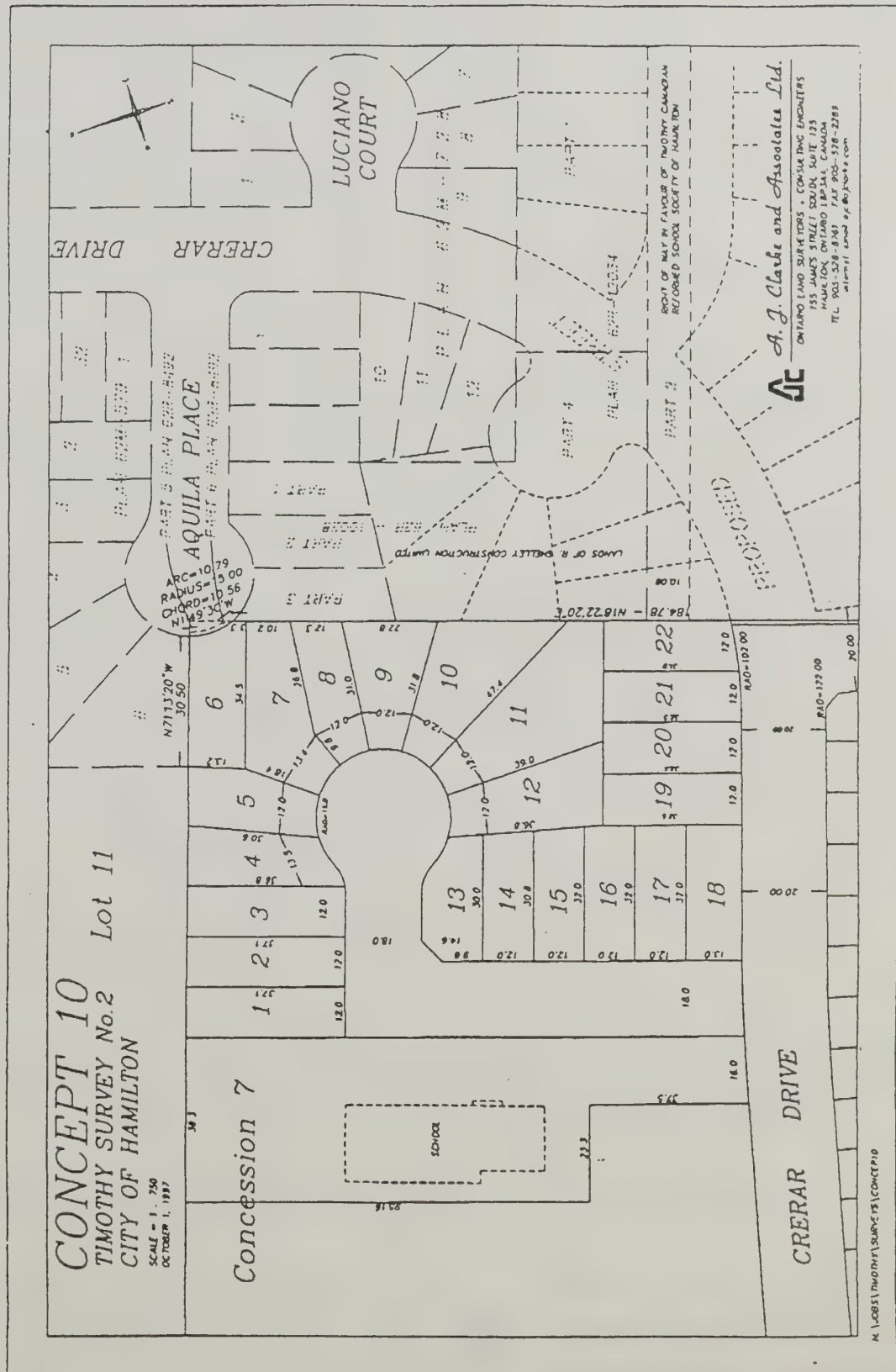
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Date
November, 1997

File No.
25T-94001(R)

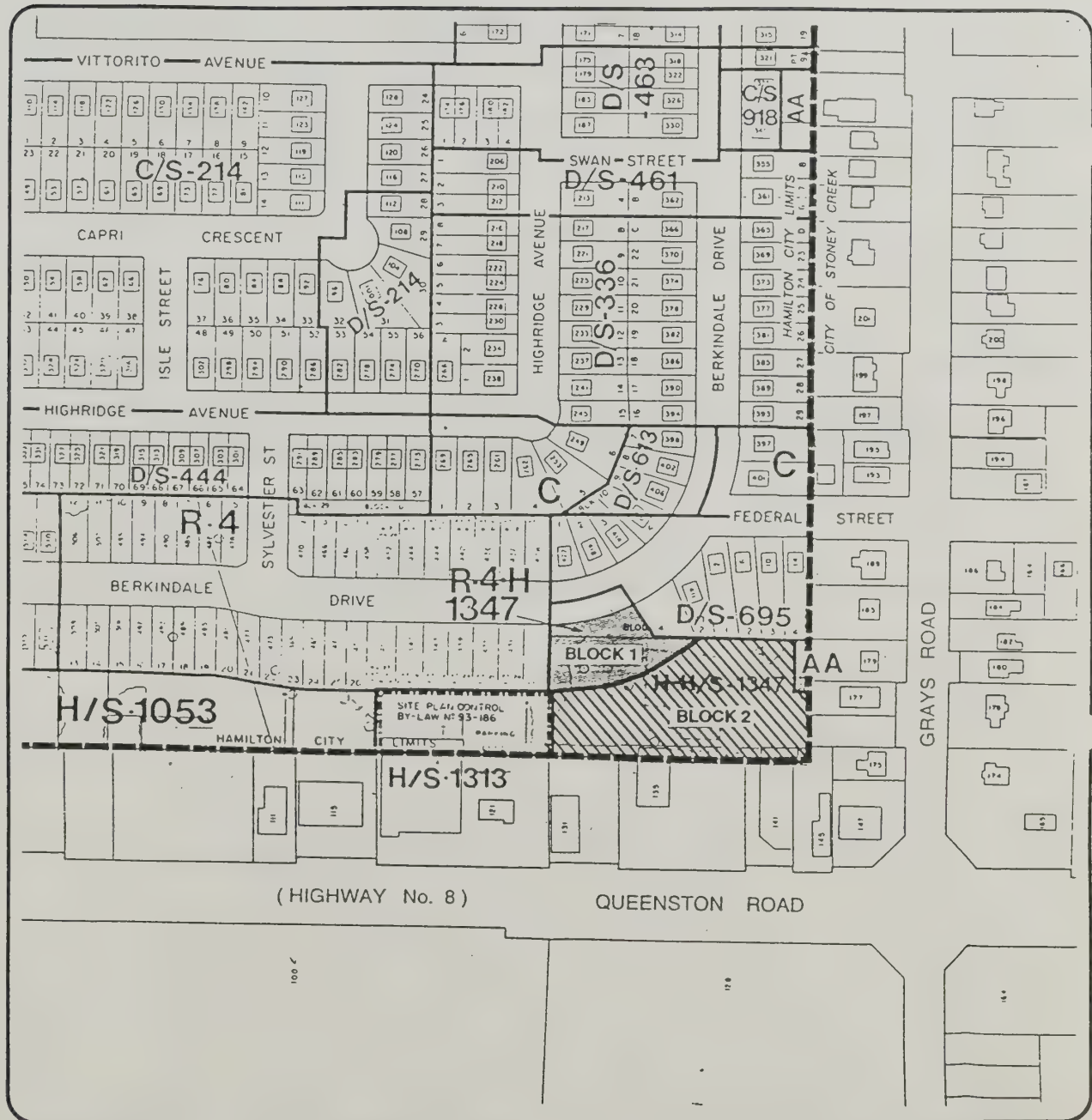
Drawn By
R. L.





BARTON VILLAGE BIA PROMOTIONAL RECEPTION

Banquet Hall/Food/Refreshments	\$1,100
Folders and Inserts	\$1,000
Entertainment	\$ 100
Expo Board	\$ 800
Facade Study	\$3,750
Invitations and Postage	\$ 190
Miscellaneous Office Supplies	\$ 100
Sub-total	\$7,040
10% Contingency	\$ 704
TOTAL	\$7,744



Legend

BLOCK 1



From "R-4"-H' (Small Lot Single Family Dwelling - Holding) District To "R-4" (Small Lot Single Family Dwelling) District.

BLOCK 2



From "H"-H' (Community Shopping and Commercial, etc. - Holding) District, Modified To "H" (Community Shopping and Commercial, etc.) District, Modified.

City of Hamilton

Location Map

Planning and Development Department

North



Scale

NOT TO SCALE

Date

November, 1997

Reference File No.

ZAC-96-14

Drawn By

R. L.



1997 December 11

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Establish:

Site Plan Control

Respecting:

**LAND LOCATED AT MUNICIPAL NO.
1200 BARTON STREET EAST**

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

166. Land located at Municipal No. 1200 Barton Street East, shown on Appendix 166 hereto annexed and forming part of this by-law.
2. Appendix 166 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this

day of

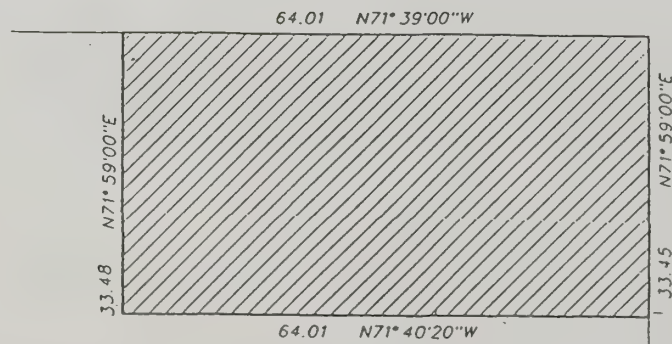
A.D. 1997

CITY CLERK

MAYOR

(1997) 17 R.P.D.C. , November 25
Penwin Enterprises Inc., Owner
A-97-239

BARTON STREET EAST



FREDERICK AVENUE

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-.....
Passed the day of, 1997.

Clerk

Mayor

City of Hamilton

Appendix 166

to the By-Law No. 79-275
as Amended by By-Law No 87-223

Planning and Development Department

Legend



Lands designated under this By-Law
as an area of Site Plan Control
pursuant to section 41 of the
Planning Act, R. S. O. 1990.

North



Scale
NOT TO SCALE

Date
November 1997

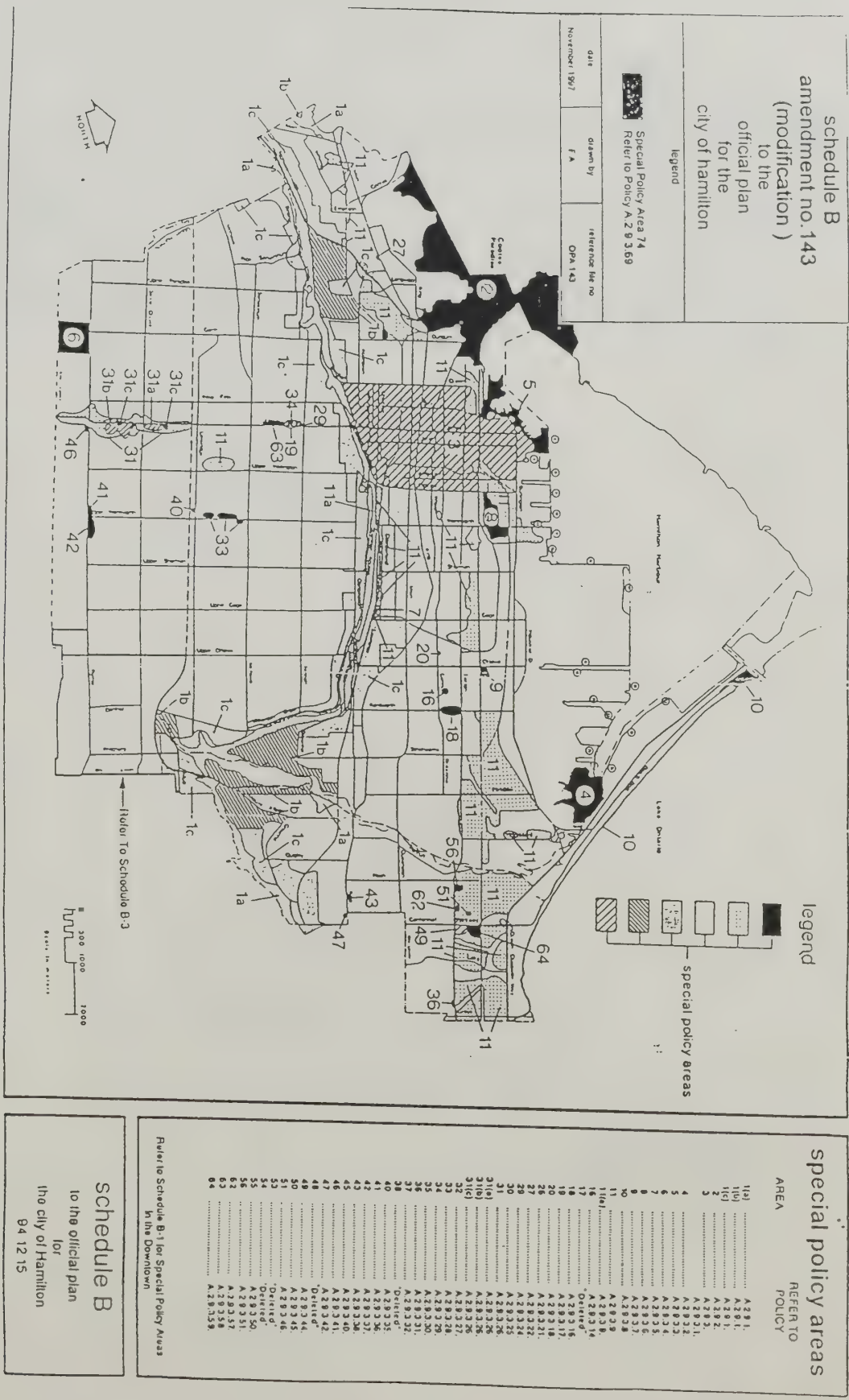
Reference File No.

A-97-239

Drawn By

B. B.

1997 December 11





Hamilton's
INTERNATIONAL
Village

King Street East
between Wellington
and Mary

PROPOSED BUDGET

	<u>1997 Actual</u>	<u>1998 Proposed</u>
OPERATIONS:		
Rent	\$ 00.	\$2,000.
Utilities	1,785.	1,000.
Telephone	1,039.	1,200.
Office Supplies	2,240.	1,500.
Equipment Repair/Purchase	750.	750.
Bank Charges	250.	300.
Total	\$6,064.	\$6,750.
WAGES:		
Executive Director	\$20,000.	\$20,000.
Wage Costs	<u>3,000.</u>	<u>3,500.</u>
Total	\$23,000	\$23,500.
Insurance	\$1,332.	\$1,400.
Audit	321.	400.
Print/Postage \$2,000.		
Advert/Promo 3,000.	<u>8,328.</u>	<u>5,000.</u>
Total	\$9,981.	\$6,800.
Allowance, Uncollected Levies	<u>\$14,000.</u>	<u>\$12,500.</u>
Total	<u>\$52,045.</u>	<u>\$49,550.</u>

1998 Budget Requirement \$49,550.00

WESTDALE VILLAGE B.I.A.**Proposed Budget 1998**\$35,000

Uncollectible levies	\$5,000.00
Fixed Expenses	\$15,000.00
Audit fees, Director's insurance, comprehensive insurance, fax & copy charges, Board Meeting meals, beautification, office supplies, office space, staff, phone, miscellaneous.	
Marketing & Advertising	\$15,000.00

	\$35,000.00

THE FOLLOWING INFORMATION WAS ADOPTED BY WESTDALE VILLAGE BIA WITH RESPECT TO THE EXPENDITURE OF THE \$35,000, TO BE APPROVED ACCORDING TO THE FOLLOWING DISCRETIONARY SPENDING POLICY:

0-\$25.99 MAY BE SPENT WITHOUT BOARD OF MANAGEMENT APPROVAL. DETAILED INVOICES/RECEIPTS MUST BE SUBMITTED TO THE TREASURER.

\$26.00-\$999.99 MAY BE SPENT WITH 5 BOARD DIRECTORS SIGNATURES MANDATORY ON THE PURCHASE ORDER BEFORE A CHEQUE IS ISSUED.

\$1000.00-\$4999.99 AT THE WILL OF THE BOARD OF MANAGEMENT, THIS AMOUNT OF MONEY MAY BE APPROVED ACCORDING TO THE GUIDELINES FOR THE \$26.00-\$999.99 CATEGORY OR THE BOARD OF MANAGEMENT MAY SEND THE REQUEST TO A COMMITTEE REQUESTING A DETAILED PLAN TO BE SUBMITTED AND APPROVED.

\$5,000.00 AND OVER, A DETAILED BUDGET AND PLAN MUST BE PRESENTED TO THE BOARD AT LEAST 6 MONTHS PRIOR TO THE EVENT.

***NOTE: ALL COMMITTEES MUST HAVE AT LEAST ONE BOARD MEMBER WHO IS RESPONSIBLE TO PRESENT THE PROPOSAL AT THE BOARD MEETING.**

**CONCESSION STREET BUSINESS IMPROVEMENT AREA
PROPOSED BUDGET FOR 1997**

EXPENSES

ADVERTISING AND PROMOTION	\$ 2,800.
HYDRO-CHRISTMAS LIGHTS	\$ 800.
ADVERTISING, PROMOTION & NEWSLETTER	\$ 6,000.

ADMINISTRATION

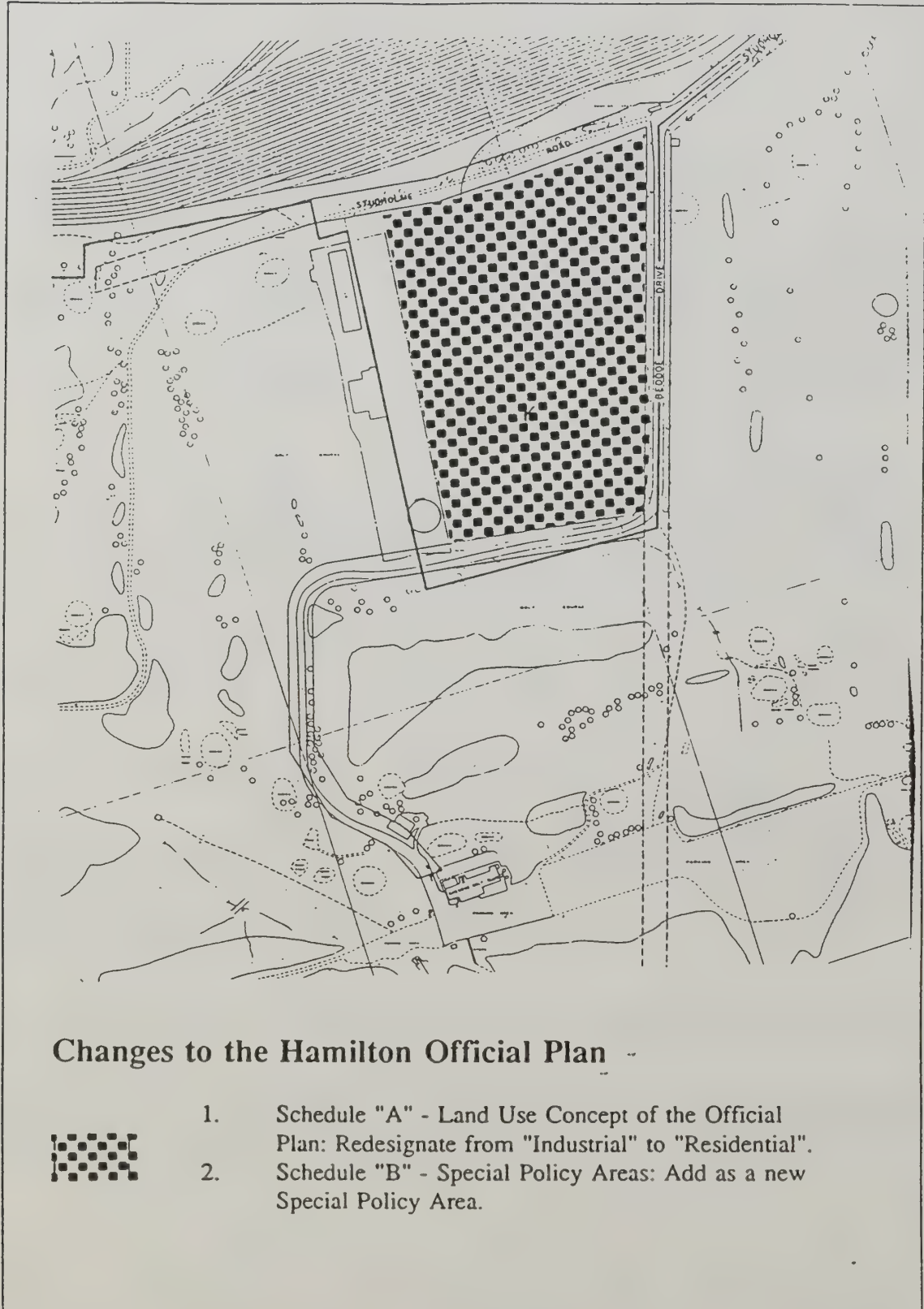
INSURANCE	\$ 750.
ACCOUNTING	\$ 350.

MISCELLANEOUS	\$ 400.
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TOTAL	\$11,100.
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INCOME

BIA TAX LEVIES	\$10,100.
CITY OF HAMILTON GRANT FOR CHRISTMAS DECORATIONS	\$ 1,000.
TOTAL	\$11,100.



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIRST** Report and respectfully recommends:

1. (a) That the City of Hamilton accept Hamilton Harbour Terminals Inc. (former tenant at 231 Burlington Street East) proposal to pay back its Outstanding Business and Realty Taxes through payments of \$7,500 per month, until the debt of \$168,203.89, plus interest, is fully paid; and,
- (b) That the City of Hamilton enter into a repayment agreement with Hamilton Harbour Terminals Inc. for the payment of all Outstanding Realty Taxes satisfactory to the City Treasurer and the City Solicitor; and,
- (c) That Outstanding Realty Taxes in the amount of \$245,081.81 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to Account CH53401 24106, Tax Write-offs.
2. (a) That the City of Hamilton Fire Department be authorized to contract with an outside vendor to remove and temporarily store the combustible contents contained in the building located at 231 Gage Avenue North as authorized by the Fire Safety Commission decision on 1997 November 14; and,
- (b) That any City costs associated with the removal and disposal of combustible contents contained in the building located at 231 Gage Avenue North to a maximum of \$125,000 be funded from the Reserve for Contingencies (Centre CH 00115); and,
- (c) That any subsequent recoveries of such costs be credited to the same Reserve for Contingencies (Centre CH 00115).
3. (a) That the City resolve all outstanding issues of City of Hamilton - ats- Scott MacDonald Limited in Ontario Court (General Division) Action No. 408/97 by accepting the Plaintiff's Offer of Settlement and approving the Minutes of Settlement signed by counsel for both parties dated 1997 November 25th.

- (b) That a Task Force be struck comprised of Mayor R. Morrow, Alderman C. Collins, Alderman D. O'Sullivan, Alderman R. Corsini, Alderman A. Horwath and Alderman D. Wilson to meet with Mr. Sandy MacDonald to arrive at a mutually agreeable solution to bring forward for Council's consideration by 1998 February 28.
- 4.
- (a) That the moratorium on non-union salary increases endorsed by City Council effective 1993 January 1, be lifted; and,
 - (b) That a 3.5% salary increase be implemented effective 1997 July 1, for non-union classifications "L" to "Q" to reduce compression, and to retain equity, with equivalent unionized positions; and,
 - (c) That a 1.5% salary increase be implemented effective 1997 July 1, for non-union classifications "A" to "K"; and,
 - (d) That the City Treasurer recommend a method of financing recommendations (b) through (c); and,
 - (e) That the reduced benefit plan, providing for medical, dental, group life, vision, and early retirement benefits, negotiated with C.U.P.E. Local 167, replace the current non union benefit plan, effective with Council approval, for all non union employees and elected officials eligible for benefit coverage; and,
 - (f) That the Commissioner of Human Resources prepare a report for the Finance and Administration Committee detailing the cost of replacing the current Management Job Evaluation Plan with one which more properly reflects the City's current needs.
- 5.
- (a) That the City enter into Extension Agreements, to include special provisions for building permit and site remediation requirements in a form satisfactory to the City Solicitor, with the owner of lands at 269 and 271 Bay Street North, 32 Tiffany Street and 107 Stuart Street, as prescribed by the Municipal Tax Sales Act, for the payment of outstanding realty tax arrears, penalty, and interest; and,
 - (b) That the Mayor and Clerk be authorized to execute all such agreements; and,
 - (c) That the Treasurer enter into payment arrangements for the payment of outstanding realty tax arrears, penalty and interest for the properties known as 263, 275, and 279 Bay Street North .

6. That a purchase order be issued to Graphic Resources, Mississauga, for the supply and delivery of xerographic paper as and when required during the next 12 months, being the lowest acceptable of five (5) bids received in accordance with specifications issued by the Purchasing Department and the Vendor's tender, and be financed through various approved accounts.

7. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

320 King E.	1521 Upper Ottawa
102 West Ave. N.	22 Aqua Santa
000 East 21st	1443 Upper James
236 Ottawa N.	1521 Upper Ottawa Unit 8
315 King E.	1521 Upper Ottawa Unit 3
000 Burlington E.	123 Princess
210 Burlington E.	70 Covington
1014 King W.	249 Hess N.
202 Belmont	938 Burlington E.
418 Upper Wellington	315 Beach Blvd.
18 Whitfield	100 Locke S.
228 Upper Paradise	124 Walnut S.
1314 Upper Wentworth	107 Stuart
2 Wark	16 McKinstry
15 Eldorado	271 Bay N.
32 Tiffany	772 Upper Paradise
361 Wellington N.	130 Stapleton
269 Bay N.	216 Dundurn S.
772 Upper Paradise	144 Barton E.

- (b) That the By-law to authorize the said Extension Agreements be enacted by Council; and,
- (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

8. That Realty and Business Tax Applications processed under Section 443, of The Municipal Act, Chapter 45, Statutes of Ontario, 1990 in the amount of \$7,656.45 be approved and charged to CH55307-24104 Tax Remissions.

9. That a By-law to amend By-law No. 95-090 and By-law No. 97-033 to cancel the previously approved funding for the Co-Generation Debenture Project be enacted by Council.
10.
 - (a) That a contract be given to BESTCO Construction Corporation in the amount of \$83,690 including G.S.T. for the Barrier Free Design Modification of the Hamilton City Hall; and,
 - (b) That a contract satisfactory to the City Solicitor be entered between the City and BESTCO Construction Corporation, 62 Earl Street, Hamilton, Ontario; and,
 - (c) That the Building Commissioner be authorized to carry a \$12,000 Project Contingency to cover the asbestos removal and any additional unforeseen items which may arise; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the associated contract in a form satisfactory to the City Solicitor; and,
 - (e) That these expenditures are funded from the Account: CF 329441017 - Barrier Free Design Modifications, Hamilton City Hall.
11. That the 1998 invoice for \$20,244.74 (includes PST & GST) from Information Builders Canada Inc. be authorized for payment from Account CH 5609X-26021 (User Software).
12. That the 1998 invoice for \$104,780 (includes PST & GST) from Geac Canada Limited be authorized for payment from Account CH 5609X-26021 (User Software).
13. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing.

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
a) 319441015	Sir Allan MacNab Recreation Centre Bldg. Envelope Repairs	\$250,000.	\$249,982.	\$18.	DEB
b) 319541004	City Hall - Roof Replacement	318,000.	307,521.	10,479.	DEB
c) 319641024	Market/Library - Reroofing (Phase II)	578,000.	577,192.	808.	RCP
d) 319741036	Rink Board Replacement - Eastwood & Coronation Arenas	180,000.	179,961.	39.	RCP
TOTAL				\$11,344.	

14. (a) That the compensation to the Hamilton Parking Authority for the actual loss of revenue due to the one-year Downtown Parking Initiative for two hours of free parking at the York Boulevard Parking Garage, at a cost not to exceed \$450,000, be financed as follows:
- (i) The actual revenue loss for 1997 estimated as \$300,000 be funded from any available 1997 Year End Surplus; and,
 - (ii) The balance of the program approximating \$150,000 be reflected in the 1998 Current Budget; and,
- (b) That an overdraft to the 1997 Law Department Budget in the amount of \$150,000, due to additional costs incurred in the Outside Counsel Account, be approved and be funded from any available 1997 Year End Surplus.
15. That outstanding business taxes in the amount of \$679,225.01 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to account CH53401 24106, Tax Write-offs.
16. That outstanding Accounts Receivable in the amount of \$8,051.56 be written off and charged to Account CH 15401 00001.

17. That the City Treasurer be authorized to transfer \$560,576.06 from the Reserve for Capital Projects, Account Centre No. CH 00203 to the Reserve for Park Lands - 5% Land Dedication, Account Centre No. CH 00201 for the loss of revenue of the 5% Park Dedication from building permits processed for the purpose of a single family dwelling during the moratorium period 1996 July 10 to 1997 July 11 as calculated by the Building Department.

18. (a) That the City be authorized to temporarily borrow monies to meet Current Budget Expenditures for 1998 pending receipt of Current Revenues; and,
 (b) That the appropriate borrowing by-law be approved.

19. (a) That the billing form, as submitted to the Finance and Administration Committee and available from the Committee Secretary upon request, be adopted for use for the billing of the City of Hamilton pre-levy taxation in 1998; and,
 (b) That staff continue to compose an insert to accompany the pre-levy bill similar to the draft, submitted to the Finance and Administration Committee and available from the Committee Secretary upon request.

20. (a) That, in accordance with the policy approved by City Council on 1996 October 29, for properties vested with the City on tax sale, the tax arrears applicable to the following property be written off as uncollectible:

321 King Street East	\$ 58,078.12
647 King Street East	52,482.15
1063 Barton Street East	241,722.26

 (b) That the City's share of the uncollectible taxes and any other additional costs be charged to the Reserve for Property Purchases, Account CH 00102; and,
 (c) That the Region and the Board of Education's share of the uncollectible taxes be charged back to the Tax Write Off Account CH 24106 to recover the deficiency amount previously credited to these Bodies.

21. (a) That, in accordance with the policy approved by City Council on 1996 October 29, for properties vested with the City on tax sale, the tax arrears applicable to the following property be written off as uncollectible:

606 Aberdeen Avenue	\$ 2,065,554.03
---------------------	-----------------

- (b) That the City's share of the uncollectible taxes and any other additional costs be charged to the Reserve for Property Purchases, Account CH 00102; and,
 - (c) That the Region and the Board of Education's share of the uncollectible taxes be charged back to the Tax Write Off Account CH 24106 to recover the deficiency amount previously credited to these Bodies.
- 22.
 - (a) That the City Treasurer be authorized to donate to the Sexual Assault Centre a decommissioned PC 386 Model; and,
 - (b) That the Sexual Assault Centre be required to arrange pick up from the City and be responsible for any transportation and installation costs.
- 23. That the deadline for the 1998 General Grant Applications previously approved by City Council on 1997 October 28, as 1998 Monday January 5, be extended to 1998 Friday January 30, due to the postal interruption.
- 24.
 - (a) That the Current Budget reduction packages totally \$152,430, attached herewith and marked Appendix "A", be approved relative to the 1997 Current Budget for the Property Department; and,
 - (b) That the Treasurer be authorized to amend the appropriations accordingly.
- 25.
 - (a) That the following City of Hamilton By-laws be amended to provide for the extension of 1997 Business Licences until 1998 January 31:
 - (i) By-law 93-069 to licence, govern and regulate Establishment and Mobile Licences; and,
 - (ii) By-law 76-032 to licence, regulate and govern Body Rub Parlours; and,
 - (iii) By-law 79-144 to licence, regulate and govern Adult Entertainment Parlours; and,
 - (iv) By-law 95-173 to licence, regulate and govern stores in which Adult Videos are provided; and,
 - (v) By-law 80-259 to licence, regulate and govern Second Level Lodging Homes; and,

- (b) That the appropriate By-law be enacted by City Council.
26. That approval be given to a re-scheduling of the payment schedule by the Hamilton Parking Authority to the City by moving the 1997 December 31 payment to 1998 January 5, and adjusting the remaining parts of the schedule accordingly.
27. That a purchase order be issued to MSA Canada Inc., in the amount of \$47,800 (including all taxes), for the purchase of two (2) Thermal Imaging Cameras.
28. (a) That a long-term medical surveillance programme be implemented for Hamilton Fire Fighters involved in the Plastimet fire, as well as all other Fire Fighter Association members with the Hamilton Fire Department, to an upset limit of \$210,000 (1998 expenditure); and,
- (b) That the agreement between the Hamilton Professional Fire Fighters Association (H.P.F.F.A.) and the Administration, attached herewith and marked Appendix "B", which outlines the specifics of such a long-term programme, be approved; and,
- (c) That a Joint Steering Committee comprised of two representatives of the Hamilton Professional Fire Fighters Association (H.P.F.F.A.) and two representatives of the City of Hamilton Administration be established and be given responsibility for the implementation of long-term medical surveillance programme; and,
- (d) That the City of Hamilton seek financial reimbursement from the Province of Ontario for the cost of providing this long-term medical surveillance programme.
- (e) That the Fire Department be authorized to incorporate \$210,000 required for 1998 Long Term Medical Surveillance Program costs in the 1998 Current Budget and review the costs for future years in conjunction with an application to the Province of Ontario for a reimbursement to the costs of the program being undertaken; and,
- (f) That the City Treasurer report back in 1998 regarding proposals for funding of 1999 and subsequent years' related costs.
29. (a) That the City of Hamilton be authorized to contract with the Canadian Centre for Emergency Preparedness (CCEP) for assistance in revising the City's Emergency Plan and to co-ordinate activities that will improve the overall effectiveness of the Municipal Disaster Control Group; and,

- (b) That the contract for the initial scope of work covering the period January to April 1998 is not to exceed an amount of \$16,000; and,
 - (c) That the cost to contract with the Canadian Centre for Emergency Preparedness (CCEP) for assistance in revising the City's Emergency Plan at an estimated cost not to exceed \$16,000 be funded from the Reserve for Contingency, Account Centre No. CH 00115
30. That a purchase order be issued to Joe Johnson Equipment Inc., Barrie in the amount of \$354,147.10, including all applicable taxes, for the replacement of two (2) Mechanical Street Sweepers, Units 9565 and 9566 for Fleet Services, being the lowest acceptable tender received in accordance with specifications issued by Purchasing and Vendor's tender and be financed through the Reserve for Mobile Equipment Account No. CH 5X503 00101.
31. That a purchase order be issued to Champion Road Machinery Sales, Ltd., Brampton in the amount of \$175,720, including all applicable taxes, for the replacement of one (1) Mechanical Street Sweeper Unit #9567 for Fleet Services, being the lowest acceptable tender received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CF5532 649751023.
32. (a) That the City of Hamilton Donations Policy, with the exclusion of Community Parks Committees attached herewith and marked Appendix "C", with the exclusion of Parks Committees be approved at this time; and,
- (b) That City staff be authorized to undertake all actions, necessary to implement the Policy.
- (c) That Doug Lobo, Commissioner of Public Works and Traffic, develop a process and policy for how the Community Parks Committee funds are accounted for and report back to the next meeting of the Finance and Administration Committee.
- AMENDED**
33. That as referred to in Section 80 of the First Report of the Transport and Environment Committee for 1998, the City's share of service for Highridge South - Phase III in the amount of \$84,380.35 be financed from the Reserve for Services through Unsubdivided Lands, Account Centre No. CH 00107.

34. (a) That the City of Hamilton pay to the Boards of Education amounts levied for school purposes in four quarterly instalments, March 31st, June 30th, September 30th and December 15th of each calendar year, starting from the beginning of the year 1998 as outlined in the Education Quality Improvement Act (Province of Ontario Bill 160 Section 257.11(1) replacing the practice of paying monthly instalments; and,
- (b) That the City provide a copy of the resolution to the Boards of Education advising of the change in the timing of the payments.
35. (a) That the City of Hamilton be represented by its Sub Committee on Harbour issues, consisting of Mayor R. Morrow, Alderman C. Collins and Alderman B. Charters in all discussions with the Federal Government on the establishment of the Hamilton Port Authority.
- (b) That the Federal Minister of Transportation be requested to include the City's above named representative - Alderman B. Charters - immediately in all discussions and correspondence dealing with the transition and establishment, including but not limited to the draft Letters Patent.
- (c) That all local Members of Parliament be advised of the City's request.
36. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) D-1 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-2 A By-law to Amend By-law No. 95-090 and By-law No. 97-033 to Authorize a Transfer of Debenture Proceeds.
- (c) D-3 A By-law to Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues.
- (d) D-4 A By-law to Amend Business Licensing By-laws Nos. 93-069, 76-32, 79-144, 80-259 and 95-173 respecting: 1997 Licence Expiry Dates.

- (e) D-5 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. WILSON, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1997 December 11**

A. REAL ESTATE DIVISION:

BUDGET REDUCTION	SERVICE IMPACT	ANNUALIZED DOLLAR VALUE
Reduce Salaries and Wages (CH51001-30002 and Related Benefit Accounts)	Eliminate 50% of funding base for Administrative Assistant transferred to Clerk's as that service is no longer provided to the Real Estate Division by that position.	\$22,190
Eliminate Training Funding (CH55204-30001) - \$13,160 (CH51229-30002) - \$ 1,300 (CH55204-30002) - \$ 830	No provision for staff training for 1997.	\$15,290
Eliminate Software Funding (CH56005-30001) - \$5,630 (CH56005-30002) - \$ 160	Elimination of funding for software purchase from current budget.	\$ 5,790
Eliminate Office Supply Funding (CH56001-30001)	Office supplies for the Division will be funded within Clerks Department.	\$5,250
Eliminate Postage Funding (CH56004-30001)	As above	\$ 600
Eliminate Advertising and Promotion Budget (CH 56302-30001)	As above	\$ 1,000
SUB-TOTAL REAL ESTATE		\$50,120

B. BUILDING OPERATIONS AND MAINTENANCE DIVISION:

BUDGET REDUCTION	SERVICE IMPACT	ANNUALIZED DOLLAR VALUE
(CH56005-30002) - \$ 960 (CH56005-31001) - \$3,700 (CH56005-46001) - \$2,100 (CH56005-46010) - \$ 400		
Eliminate Software Funding (CH55204-30002) - \$1,830 (CH55204-31001) - \$8,330 (CH55204-46001) - \$7,530 (CH55204-46010) - \$3,330	No funding for software in current budget	\$7,160
Eliminate Funding for Staff Training (CH57315 - various)	No provision for staff training for 1997	\$21,020
Reduce Funding for Painting Maintenance Program (CH51001-46010 and Related Benefit accounts)	Analysis suggests this item can be reduced as a significant number of facilities have been painted in the past several years.	\$ 9,060
Delete CUP Maintenance Supervisor's Position	Position is vacant. Workload to be redistributed.	\$65,070
SUB-TOTAL MAINTENANCE DIVISION		\$102,310

**LONG TERM MEDICAL SURVEILLANCE PROGRAM
FOR THE CITY OF HAMILTON FIRE DEPARTMENT
AND THE HAMILTON PROFESSIONAL FIRE FIGHTERS' ASSOCIATION**

This document is a synopsis of the program. It outlines the general principles of the program which are detailed in the agreement between the City of Hamilton, the Hamilton Fire Department and the Hamilton Professional Fire Fighters' Association dated December 9, 1997.

1.0 Purpose

The Health and Exposure Program is designed:

- to monitor the effects of exposure to biological, physical and chemical agents.
- to detect changes in an individual's health that may be related to harmful working conditions.
- to detect any patterns in the work force that might indicate underlying work related problems.
- to provide the worker with information about the individual's occupational hazards and current health.
- to make participants aware of the relevance of the prescribed clinical tests beforehand including the possible interpretations of "false positives" or "non-occupational positives".
- to address occupational exposure/health related stress.
- to provide information to the relevant parties (i.e. Joint Health and Safety Committee) to assist them in identifying and recognizing the conditions and exposures that the fire department personnel experience so that appropriate steps can be taken to prevent further exposure that may result in occupation disease and injury.
- to track the health of fire department personnel exposed by the Plastimet fire as well as all other firefighters with the Hamilton Fire Department.

This program is a voluntary program. The program shall be administered by a Steering Committee. Participation in the program shall be done on-duty. No person shall be prejudiced or discriminated against as a result of any medical findings uncovered due to their participation in the program.

2.0 Administration

- A Steering Committee shall be established which will report directly to the City of Hamilton Fire Department and Hamilton Professional Fire Fighters' Association.
- The Steering Committee shall be comprised of equal representation from the Hamilton Professional Fire Fighters' Association and the City of Hamilton Fire Department.
- Occupational Medical Professionals will, when necessary, sit on the committee and an advisory position regarding medical matters.
- The committee shall be responsible for the delivery and evaluation of the program to the City of Hamilton Fire Department personnel.
- The committee shall choose an appropriate model for the delivery of the program to the Hamilton Fire Department personnel and shall decide on the proprietorship of the individual medical files.
- The committee shall also establish a timely and decisive dispute resolution mechanism such that the delivery of the program is neither delayed nor compromised.
- The committee shall endeavour to investigate alternate funding sources.

As a result of future advancement in medical technology and knowledge and the yearly evaluation of this program, the Steering Committee shall review and upgrade the examination protocol on a yearly basis.

3.0 Confidentiality

The program shall operate under the strictest of confidentiality guidelines. No personal medical information will be released in an identifiable format without the written consent of the individual participant. Group information will be presented in a manner which guards the confidentiality of the individual participants.

4.0 Elements of the Program

The program shall be conducted by a qualified occupational physician.

4.1 Annual Individual Medical

4.1.1 Medical and Occupational History

4.1.2 Workplace Exposure Records

4.1.3 Lab Tests (results available at medical exam)

Blood Analysis

Urine

Pulmonary

Cardiovascular

4.1.4 Cancer Screening Tests

4.1.5 Vaccinations Status

4.1.6 Comparison with Previous Tests

4.1.7 Individual Medical Exam

4.2 Integrated Review of Exposure and Health Information with Education and Counselling

- All participants will have a consultation explaining all issues pertinent to the program.
- All participants and non-participants of the Hamilton Fire Department shall receive education packages.
- The Steering Committee shall be responsible for initiating an education package relating to the program testing protocols, hazard and exposure information and other issues relating to health.
- Information packages will also be provided for the family physicians regarding occupations and the exposures and hazards associated with the occupations.

4.3 Occupationally Related Stress

- Set up resources for Fire Department personnel to deal with the stress associated with occupational exposures (chemical or biological) and/or the health effects associated with such exposures.

- Services to include critical incident response and long term education and counselling, both individual and group.

4.4 Reporting

- Each participant shall, on an annual basis, have the results of their clinical tests and medical exams reviewed and explained in person; as well as receive a letter summarizing their health and exposure status.
- All participants will be encouraged to sign an informed consent form so that a copy of the letter and a copy of the clinical test results will be forwarded to the participant's family physician.
- All individual data collected will be entered into a database with the appropriate confidentiality safeguards to facilitate the analysis of individual and group trends over time.

4.5 Group Analysis

4.5.1 Medical Results

- The committee will ensure that an annual report is produced which reviews the year's activities, findings and analyzes the trends developing in the group information, along with any recommendations regarding prevention of occupational exposure and disease.

4.5.2 Cancer Registry

- With the help of the Regional (or provincial/national) Cancer Research Centre, establish a Registry of all Hamilton Fire Department personnel differentiating between Plastimet fire exposed personnel and others.
- The committee will also ensure that an annual report is produced reviewing the annual and cumulative cancer and disease experience of the group.

4.6 Follow-up Referrals

- Any test or other finding which suggests the need for further follow-up or referral to specialists will be explained to the individual and routed to the family physician (with the consent of the participant) for further evaluation.

CITY OF HAMILTON DONATIONS POLICY

1.0 POLICY STATEMENT:

Continuing financial pressures have forced many communities to look at a variety of means to ensure the continuation of important and needed services. Some have taken a proactive approach to seeking out financial partners for projects while others have developed strategies for soliciting donations of goods, services and dollars for City programs, services and projects.

Hamilton City Council has, for the past number of years, considered and approved a number of contributions from outside sources as a funding mechanism to ensure that projects go forward, in spite of reducing civic budgets. The City wishes to increase its ability to solicit and receive donations for approved projects and services, while adhering to all appropriate legislative requirements.

2.0 PURPOSE:

The purpose of this policy is to provide principles and guidelines for the solicitation and receipt of donations to approved City projects and programs. The City acknowledges and encourages the interest of the community in donating gifts of cash, land and buildings, materials, services or goods to the City for the purpose of enhancing public facilities or services. The City reserves the right not to accept donations that do not contribute to the public good or are beyond the capacity of the City to receive and manage. The City will acknowledge contributions of sponsors and donors in a manner befitting the gift and in keeping with City guidelines.

3.0 PRINCIPLES:

- 3.1 The City will solicit and receive donations of funds, services and goods that enable it to reduce the cost of approved projects and programs; enhance existing services that do not increase operating costs; and finance desired projects and services that are not funded from the tax levy or other municipal sources.
- 3.2 The donation of funds, goods or services will be received by the City on the understanding that no significant consideration will be returned to the donor, as per the Income Tax Act. Nominal recognition in the form of letters or signs of acknowledgement may be made.
- 3.3 The receipt or rejection of funds, goods or services will be at the sole discretion of City Council, or its designated officers.
- 3.4 City Council shall reserve the right to designate donated funds for approved civic projects or programs with due regard to the wishes and intentions of the donor.
- 3.5 All donations become the sole and unfettered property of the City of Hamilton.

4.0 AUTHORITY:

The City of Hamilton as a Canadian Municipality can accept gifts from individual and corporate taxpayers per paragraph 118.1(1)(d) of the Income Tax Act subject to the limitations included in subsection 118.1(1) and 110.1(1)(a).

Hamilton City Council is solely responsible for the approval of projects or programs for which donations are to be dedicated. Authority for the administration of the policy is delegated to staff.

5.0 DEFINITION OF A CHARITABLE DONATION OR GIFT:

A gift, within the context of the Income Tax Act, is a voluntary transfer of property without valuable consideration. A gift is made in any circumstance where all three of the conditions listed below are satisfied.

- (a) Some property, usually cash, is transferred by a donor to the City.
- (b) The transfer is voluntary. Any legal obligation on the payer would cause the transfer to lose its status as a gift.
- (c) The transfer is made without expectation of return. No valuable consideration, no benefit of any kind, to the donor or anyone designated by the donor may result from the payment.

Compliance with this general rule is imperative to ensure that the gift(s) are deductible contributions.

6.0 EXAMPLES WHERE A DONATION OR GIFT IS CONSIDERED CHARITABLE:

- 6.1 Where the gift, as defined above, is given to the City with a general direction as to its use, i.e. a specific program or project.
- 6.2 Where a voluntary payment is made to the City in order to assist it in paying the expenses of a non-municipal organization which is regularly supported by the municipality. The following further defines this relationship:
 - The municipality must have an active involvement in the 3rd party organization through representatives on the executive.
 - The organization must be in receipt of financial assistance from the City.
 - The donations would be paid to the 3rd party via a grant.
 - The organization should be community wide and be open or available to all City of Hamilton residents, or,
 - The 3rd party organization is raising funds for a municipal project which has been approved by Council.
 - The City of Hamilton reserves the right to designate as they deem appropriate (with due regard to the wishes and intentions of the donor).

- 6.3 Where the gift is given to the City with a request that it pass the money on to an associated organization, such as a community organization within the municipality, if the designated organization operates under the authority of the municipality, such as a committee established by a municipal by-law.

Note:

Where a voluntary payment is made to a Canadian municipality with a request the municipality pass the money along to a community group with which the municipality has little or no active involvement, it is the position of Revenue Canada that where a municipality is simply acting as a conduit for some other organization in receiving a payment, the payment cannot be considered a gift to the municipality. As such the municipality may not issue an income tax receipt.

7.0 CRITERIA FOR RECEIPT OF CASH DONATIONS:

Funds will be received for approved projects and programs in order to:

- Reduce costs from the tax levy.
- Enrich approved projects and programs on the condition that no additional ongoing operating costs accrue to the City.
- Enable non-funded projects and programs to operate, conditional upon Council approval.

8.0 FORMATION OF A CITY-WIDE DONATIONS COORDINATING GROUP:

In order to ensure the proper marketing of donor opportunities and administration of donations it is proposed that a standing cross-Departmental working group be struck to oversee the program. The Parks Staff Advisory Committee would be an example of this approach.

This group would report through the Chief Administrative Officer and the City Treasurer to the Finance and Administration Committee relative to the amount and nature of donations. Due to the relevance to programming, other standing committees of Council will be briefed.

The Group would consist of one staff from the Treasury, one from the Clerks Department and at least one from each of "receiving Departments", i.e. Public Works and Traffic; Fire and Culture and Recreation, to be selected by the respective Department Head.

The mandate of this Working Group would be to:

- 8.1 On an annual basis produce and distribute marketing information highlighting ways in which individuals, groups, associations and businesses can make donations.

- 8.2 Develop and implement procedures for receipt and recording of donations in accordance with this policy.
- 8.3 Report through the Chief Administrative Officer and the City Treasurer to the Finance and Administrative Committee on the nature and amount of donations.
- 8.4 Maintain files as appropriate.
- 8.5 Provide an annual evaluation of the success of the donations program for the information and action of the Chief Administrative Officer.

9.0 Procedures for Receiving Donations:

The following general procedures will apply to all programs. Additional program specific guidelines may be developed.

- 9.1 All donations are received subject to the approval of the appropriate Department Head and/or the Coordinating Committee and may be subject to a requirement to a pre-authorization by the Department Head or the Coordinating Committee where appropriate.
- 9.2 All donations of funds must be made payable to the **City of Hamilton**, and are to be received by the Department Head responsible for the program for which funds are intended.
- 9.3 All donations of funds are forwarded immediately upon receipt to the Treasurer for deposit to the appropriate account.
- 9.4 All donations of land, buildings, goods, materials and services will be reviewed as to appropriateness by the receiving Department and in particular with the Coordinating Committee with regards to "estimate of value."
- 9.5 Documentation of all donations is to be forwarded to the Coordinating Committee for filing and recording purposes.
- 9.6 A letter of acknowledgement is issued by the receiving Department Head.
- 9.7 Documentation of the donation is to be forwarded to the Coordinating Committee for processing and recording.
- 9.8 Additional gestures of appreciation or recognition, if warranted or requested, will be developed by the receiving Department Head, in consultation with the Coordinating Committee, the Mayor and the Chairperson of the Standing Committee.

9.9 A report is prepared by the receiving Department Head and forwarded to the appropriate standing committee of Council.

9.10 If requested, the Treasurer in due course will issue an income tax receipt.

10. DISPUTE RESOLUTION:

Any dispute relative to the application or interpretation of this policy is to be referred to the Coordinating Committee; then to the Chief Administrative Officer and City Treasurer; and then, ultimately, to the Finance and Administration Committee, if required for adjudication.

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FIRST** Report and respectfully recommends:

1. That Alderman F. Eisenberger be appointed Chairman of the Committee of the Whole for the period of December, 1997; January and February, 1998.
2.
 - (a) That the City purchase 159 Hamilton Beach properties comprising 10.32 hectares (25.49 acres) for \$1,056,589 from the Hamilton Region Conservation Authority in order to implement the Hamilton Beach Neighbourhood Plan; and,
 - (b) That an Offer To Purchase the said Hamilton Beach properties from Hamilton Region Conservation Authority be executed by the Mayor and City Clerk. The Offer to Purchase shall incorporate the following terms and conditions in a form satisfactory to the City Solicitor. The conditions of this purchase (listed in subsections (vi) to (xi) below) shall be fulfilled prior to closing of the purchase, which closing shall be on or before 1998 September 28:
 - (i) lands being acquired are listed in Schedule "A" which is set out on the pages attached herewith and marked Appendix "A" comprising 10.32 hectares (25.49 acres). The City agrees to acquire these lands "as is" both as to quality and as to area provided the Vendor shall, where the City's survey discloses less than the intended area, adjust the purchase price on a pro rata basis before or, if the survey is not available until after the purchase, after the closing of the transaction; and,
 - (ii) purchase price \$1,056,589; deposit of \$2; and,
 - (iii) HRCA is conveying at no cost to City, six of the said properties known municipally as, 57, 110, 499, 544, 1033 and 1100 Beach Boulevard and, regarding such no cost properties, City agrees to take ownership subject to registration of a restrictive covenant on title to limit land use to 'Open Space, Park and Ancillary Uses'; HRCA shall release such restrictive covenant upon payment of 55.0% of the market value at the time such release is requested by the City; and,
 - (iv) City to prepare a survey Reference Plan of the above mentioned properties being acquired and provide a copy to HRCA prior to reconveyance, but in any event within two years from closing; and,

- (v) City acknowledges to HRCA that the 159 properties referred to above and the former MTO lands referred to below, are susceptible to flooding from high Lake Ontario water table; and,
 - (vi) HRCA to convey at no cost to the City an additional 3.9 hectares (9.6 acres) (approximately) of surplus MTO lands referred to in a 1982 June 29 Agreement between the Province and the Hamilton Region Conservation Authority. The City agrees to acquire these lands "as is" both as to quality and as to area; and,
 - (vii) HRCA to enter into a Surrender Agreement for the termination of HRCA's existing long term lease to the City of Hamilton Beach properties under lease to the City; and,
 - (viii) City to receive by 1997 December 31 from the Minister of Natural Resources, in writing, his general approval to the resolution regarding the Beach Strip passed by Hamilton City Council at its meeting held on 1997 June 24 in adopting Section 8 of the Sixth Report of the Parks and Recreation Committee for 1997; and,
 - (ix) City to be satisfied that the HRCA has received the approval, in writing, of the Lieutenant Governor in Council pursuant to Section 21(c) of the Conservation Authorities Act, R.S.O. Chapter C-27, approving the sale of the said lands upon the terms set out herein, to the City; and,
 - (x) City to be satisfied that the said purchase price shall be paid over by the HRCA and the Ministry of Natural Resources to the Waterfront Regeneration Fund for purposes of the Agreement outlined in paragraph (c) below; and,
 - (xi) The Waterfront Regeneration Fund and the Ministry of Natural Resources shall have entered into the Agreement authorized in paragraph (c) below to hold the said purchase price paid by the City in a trust account to be applied towards matching the City's expenditures in respect of the Hamilton Beach Recreational Trail Project as outlined in paragraph (c) below; and,
- (c) That the City enter into an Agreement with the Waterfront Regeneration Fund and the Ministry of Natural Resources under which the Fund agrees, for a period not less than five years, to hold the proceeds of sale received by the Fund as a result of the HRCA sale of Hamilton Beach properties to the City, and use such funds to match the City's funds (if any) from time to time authorized by Council, for purposes of projects approved by the Fund with input from the Province and the City, to complete the Hamilton Beach Recreational Trail Project along the Beach Strip.

The said Trust monies shall be subject to Fund's administration fee not exceeding .75% of the trust's March 31 balance each year. The Mayor and City Clerk be authorized to execute such Agreement in a form satisfactory to the Commissioner of Public Works and Traffic and the City Solicitor; and,

- (d) That Council accept the letter dated 1997 November 3 from the Honourable John Snobelen, Minister of Natural Resources, which is set out on the pages attached herewith and marked Appendix "B", as being satisfactory to meet the condition of financing approved by City Council on 1997 July 18 by the adoption of Section 12(c) of the Fifteenth Report of the Finance and Administration Committee for 1997; and,
 - (e) That the purchase price of \$1,056,589 be financed from the Hamilton Beach Neighbourhood Plan, Account Centre CF629750011.
3. (a) That an offer be extended to the Regional Municipality of Hamilton-Wentworth to locate the offices of the Regional Chairman, Regional Chief Administrative Officer and the Regional Clerk on the first floor of City Hall; and,
- (b) That, subject to Regional Council's acceptance of this offer, staff be authorized and directed to negotiate terms and conditions for leasing of this area for approval by the respective Councils.
4. That the meeting of City Council scheduled for Tuesday, January 13, 1998 be cancelled due to the fact that no standing committee meetings are scheduled for the first week of January, 1998.
5. That the Liquor Control Board of Ontario be advised that the Council of the Corporation of the City of Hamilton objects to the opening of retail outlets selling beverage alcohol in the City of Hamilton on Sundays, after 1998 January 4.
6. (a) That the draft 1998 Budget Timetable as presented, be received; and,
- (b) That Corporate Management Team be authorized to direct City Departments to prepare multi-level Service/Program Reduction Packages indicating the service level, staffing and financial impacts of a zero percent increase based on:
- (i) Approximately 3.5% of 1998 Departmental Budgets (represents amount necessary to offset Municipally-Driven Factors on Budget Macro); and,
 - (ii) Approximately 6.3% of departmental budgets (represents amount necessary to offset Provincial Initiatives on Budget Macro); and,
- (c) That targets be assigned based on the percent of Department Gross Expenditures to total City expenditures, achievable through revenue increases and/or expenditure decreases;

DEC 19 1997

- (d) That Local Boards, Sub-Committees and other discretionary activities participate equally; and,
- (e) That Local\Boards make presentations to the Committee of the Whole during 1998 budget deliberations with respect to their operating budgets and their Service/Business Plans, but that their respective Boards make decisions regarding how to achieve savings; and,
- (f) That Expansion Packages be considered as additions to the tax rate; and,
- (g) That staff be directed to initiate the Supplementary Budget Process by identifying City services and preparing packages for service level review and prioritizing by Council.

Respectfully Submitted,

**MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE**

J.J. Schatz, Secretary
1997 December 11

Appendix "A" referred to in
Section 3 of the First
Report of the Committee of the
Whole

attached to and forming part of an Offer to Purchase
between The Corporation of the City of Hamilton as Purchaser
and The Hamilton Region Conservation Authority as Owner

List of Lands

Parcel	Address	Assessment Roll	Instrument
1	57 BEACH BLVD	050-514-044-50-0000	167148CD
2	63-65 BEACH BLVD	050-514-043-60-0000	189942CD
3	73 BEACH BLVD	050-514-042-70-0000	328571CD
4	117 BEACH BLVD	050-514-040-30-0000	102934CD
5	133 BEACH BLVD	050-514-039-40-0000	225933CD
6	110 BEACH BLVD	050-511-004-90-0000	195242CD
7	163 BEACH BLVD	IN #8	137173CD
8	165 BEACH BLVD	050-514-037-30-0000	57604CD
9	167 BEACH BLVD	IN #8	318019CD
10	148 BEACH BLVD	050-511-007-90-0000	197282CD
11	172 BEACH BLVD	050-511-009-40-0000	245304CD
12	180 BEACH BLVD	050-511-010-30-0000	199242CD
13	182 BEACH BLVD	IN #12	160373CD
14	195 BEACH BLVD	050-514-034-60-0000	105118CD
15	2 KIRK ROAD	050-511-013-60-0000	232809CD
16	258 BEACH BLVD	050-511-017-50-0000	338642CD
17	252 BEACH BLVD	IN # 16	338642CD
18	287 BEACH BLVD	050-514-029-20-0000	61467CD
19	287.5 BEACH BLVD	IN # 18	93940CD
20	3 WARK AVE	050-511-019-30-0000	64787CD
21	4 WARK AVE	050-511-022-00-0000	63634CD
22	82 DYNES PK	050-514-023-50-0000	7558CD
23	81 DYNES PK.	IN # 22	301309CD
24	312 BEACH BLVD	050-511-024-40-0000	151296CD
25	328 BEACH BLVD	050-511-025-60-0000	154481CD
26	358 BEACH BLVD	050-511-026-20-0000	205252CD
27	371 BEACH BLVD	050-514-017-80-0000	179728CD
28	372 BEACH BLVD	050-511-030-70-0000	192631CD
29	3 BAYSIDE AVE	IN #28	167148CD
30	4 LAKESIDE AVE	050-514-017-20-0000	139867CD
31	8 LAKESIDE AVE	050-514-016-60-0000	150567CD
32	3 LAKESIDE AVE	050-514-015-70-0000	256493CD
33	377 BEACH BLVD	050-514-015-10-0000	121258CD
34	379 BEACH BLVD	IN #33	285571CD
35	406 BEACH BLVD	050-511-031-90-0000	133051CD
36	2 TOWERS DR.	050-511-032-80-0000	42127CD
37	422 BEACH BLVD	050-511-034-00-0000	109623CD
38	426 BEACH BLVD	IN #37	154480CD
39	428 BEACH BLVD	IN #37	152283CD
40	1 HULBERT DRIVE	IN #37	IN # 39
41	417 BEACH BLVD	050-514-012-40-0000	322837CD
	417B BEACH BLVD	IN #41	192049CD
42	456 BEACH BLVD	050-511-034-90-0000	133118CD
	1-5 BELLS LANE	IN #42	IN # 42
	460 BEACH BLVD	IN #42	IN # 42
43	486 BEACH BLVD	050-511-036-40-0000	75011CD
44	496 BEACH BLVD	050-511-037-00-0000	56589CD
45	483 BEACH BLVD	050-514-009-70-0000	231605CD
46	512 BEACH BLVD	050-511-037-90-0000	285149CD
47	493 BEACH BLVD	050-514-007-00-0000	220646CD
48	499 BEACH BLVD	050-514-006-10-0000	200212CD
49	515 BEACH BLVD	IN #48	254175CD
50	517 BEACH BLVD	IN #48	232080CD
51	526 BEACH BLVD	050-511-038-80-0000	204643CD
52	534/530B BEACH BLVD	IN #51	134177CD
53	536 BEACH BLVD	050-511-040-30-0000	152202CD

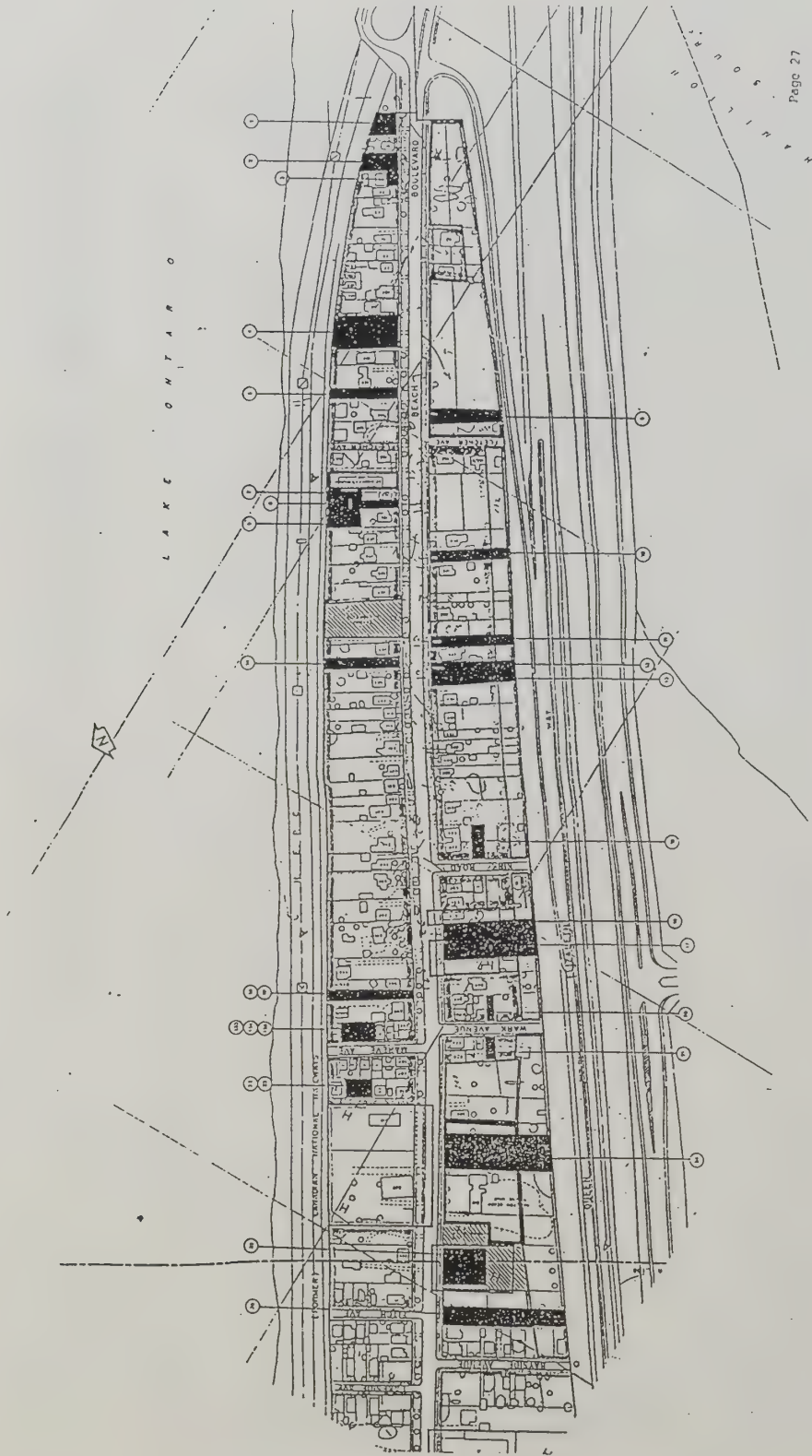
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54	544 BEACH BLVD	050-511-041-20-0000	42127CD
55	550 BEACH BLVD	050-511-041-80-0000	194402CD
56	10 ARDEN AVE.	050-511-043-00-0000	283176CD
57	1 ARDEN AVE.	050-511-048-10-0000	127676CD
58	8 LAGOON AVE.	050-511-050-50-0000	129877CD
59	15 ARDEN AVE.	050-511-046-90-0000	283176CD
60	4 LAGOON AVE.	IN #58	129878CD
61	7 ARDEN AVE.	IN #58	32926CD
62	22 LAGOON AVE.	050-511-051-40-0000	148651CD
63	564 BEACH BLVD	050-511-056-50-0000	137159CD
64	17 LAGOON AVE.	050-511-055-00-0000	289737CD
65	15 LAGOON AVE.	IN #64	194297CD
66	23 LAGOON AVE.	IN #64	108103CD
67	14 CLARE AVE.	IN #64	101790CD
68	20 CLARE AVE.	050-511-059-50-0000	200778CD
69	3 DEXTER AVE.	050-514-001-90-0000	265779CD
70	5 DEXTER AVE.	050-514-002-50-0000	156505CD
71	9 CLARE AVE.	050-511-063-40-0000	71613CD
72	1 CLARE AVE.	IN #71	55635CD
73	5 CLARE AVE.	IN #71	158851CD
74	13 CLARE AVE.	IN #71	7558CD
75	620 BEACH BLVD	050-512-000-10-0000	205179CD
76	25 GRANVILLE AVE	050-511-069-70-0000	74105CD
77	2 COMET AVE.	050-512-001-30-0000	71596CD
78	24 COMET AVE.	050-512-003-10-0000	7558CD
79	640 BEACH BLVD	050-512-007-00-0000	96128CD
80	3 COMET AVE.	050-512-006-40-0000	95607CD
81	16 GRAFTON AVE	050-512-010-00-0000	7558CD
82	10 GRAFTON AVE.	050-512-009-40-0000	7558CD
83	12 GRAFTON AVE.	IN #82	82182CD
84	25 COMET AVE.	IN #81	134967CD
85	13 GRAFTON AVE	050-512-011-80-0000	232640CD
	15 GRAFTON AVE	IN #85	189151CD
86	14 WICKHAM AVE.	050-512-015-10-0000	7558CD
87	6 WICKHAM AVE.	IN #86	267980CD
88	12 WICKHAM AVE.	IN #86	7558CD
89	5 WICKHAM AVE.	050-512-019-30-0000	200299CD
90	5 KNAPMANS DR.	050-512-021-40-0000	254875CD
91	7 KNAPMANS DR.	050-512-022-00-0000	142312CD
92	2 WINDERMERE AVE	050-512-023-50-0000	92802CD
93	6 WINDERMERE AVE	IN #90	58006CD
94	15 WINDERMERE AVE	050-512-025-60-0000	101278CD
95	11 WINDERMERE AVE	IN #94	177873CD
96	722 BEACH BLVD	050-512-028-30-0000	7558CD
97	2 REMBE AVE.	IN #96	35371CD
98	2A REMBE AVE.	IN #96	78740CD
99	8 REMBE AVE.	050-512-030-10-0000	137181CD
100	717 BEACH BLVD	050-513-028-00-0000	7558CD
101	723 BEACH BLVD	050-513-026-80-0000	60434CD
102	727 BEACH BLVD	IN #101	42127CD
103	727.5 BEACH BLVD	IN #101	112516CD
104	731 BEACH BLVD	050-513-025-90-0000	7558CD
105	735 BEACH BLVD	050-513-025-00-0000	151720CD
106	741 BEACH BLVD	IN #105	57652CD
107	732 BEACH BLVD	050-512-033-40-0000	136261CD
108	7 REMBE AVE.	050-512-032-20-0000	58374CD
109	746 BEACH BLVD	IN #108	111118CD
110	3 REMBE AVE	IN #108	70153CD
111	5 REMBE AVE	IN #108	69971CD
112	9 REMBE AVE	IN #108	301283CD
113	2 NORTH PARK AVE.	IN #108	219087CD
114	4 NORTH PARK AVE.	IN #108	194808CD
115	8 NORTH PARK AVE	050-512-036-10-0000	158468CD
116	764 BEACH BLVD	050-512-040-00-0000	57029CD

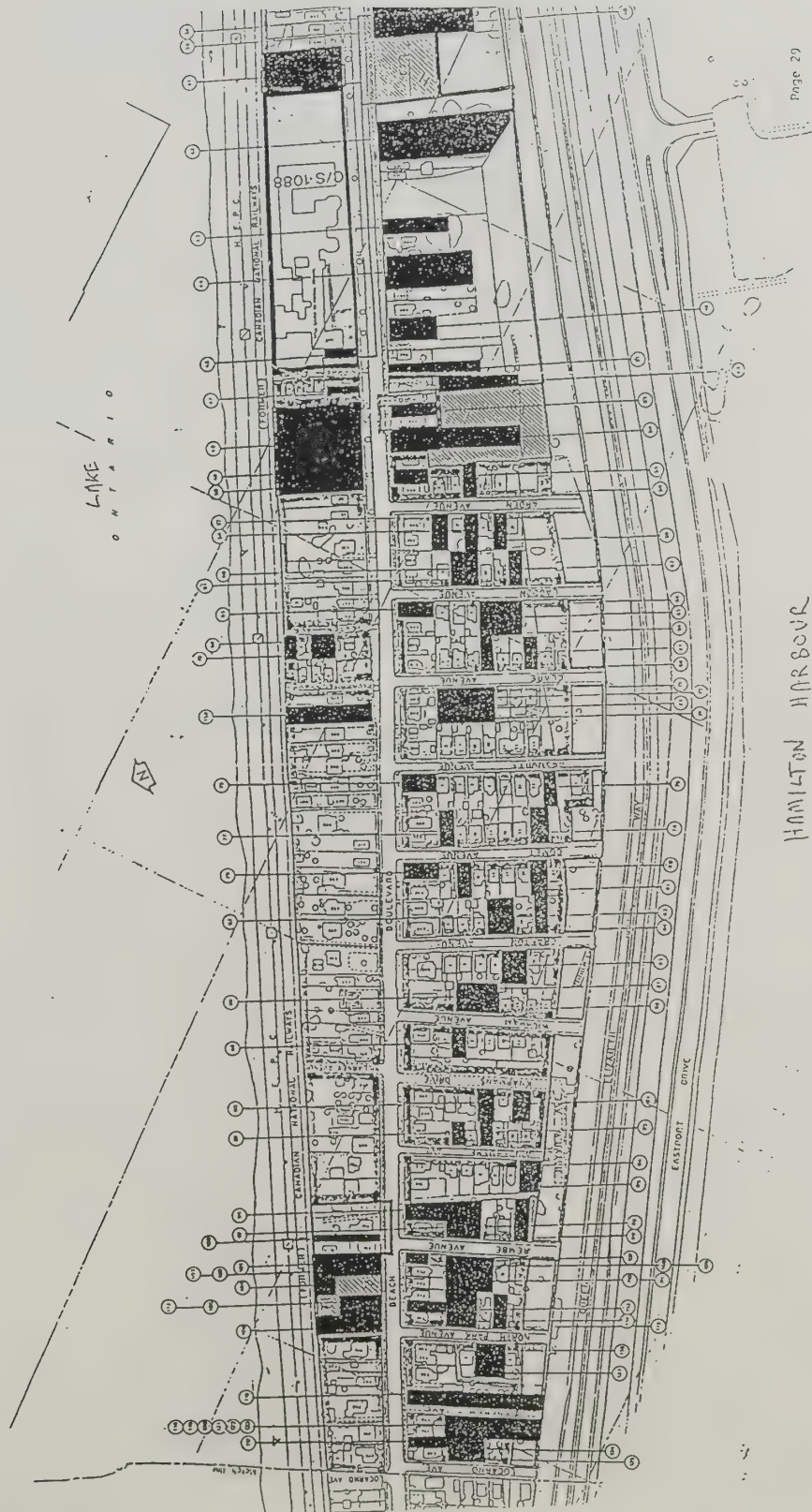
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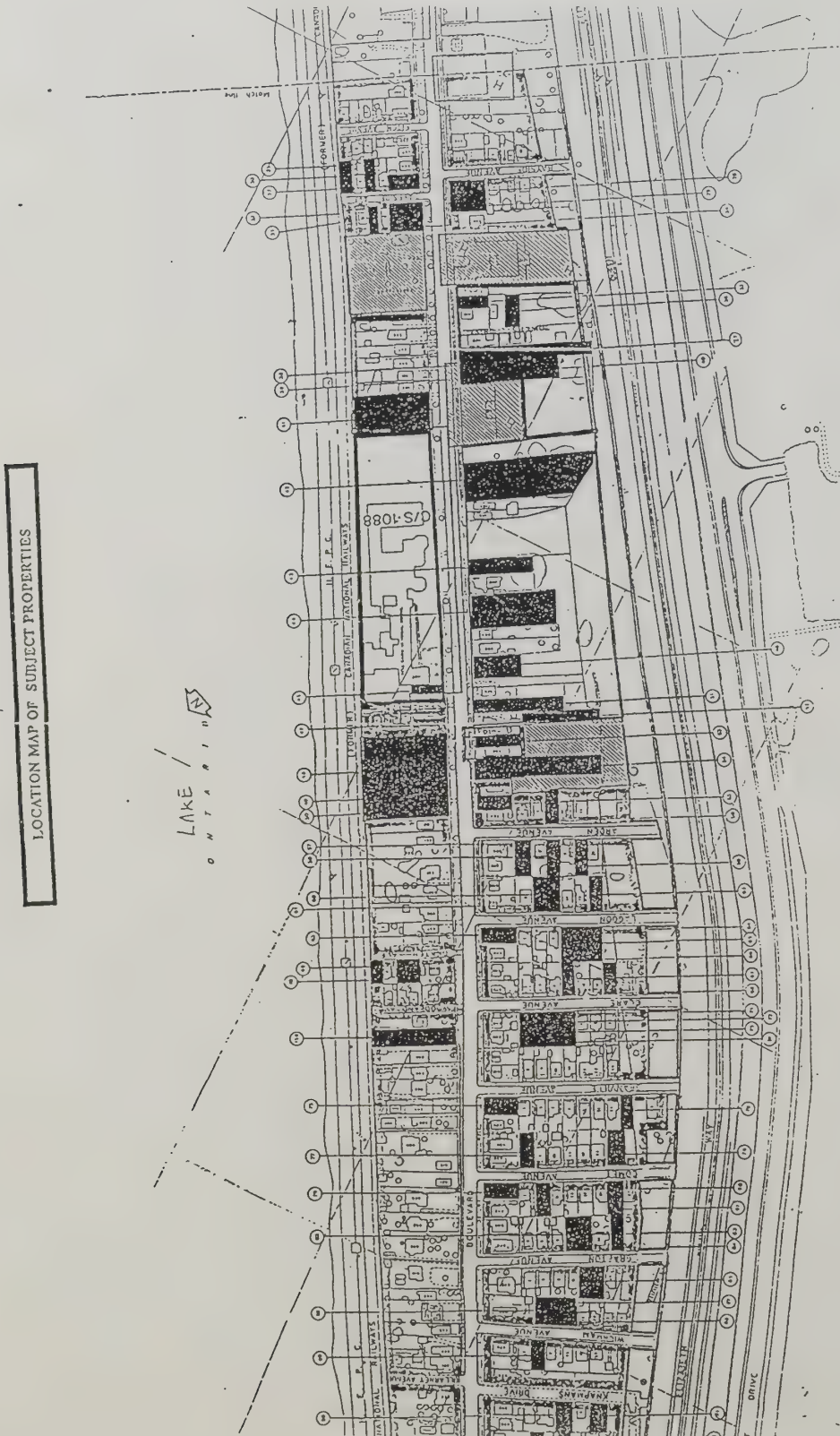
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118	3 LOCARNO AVE	050-512-043-60-0000	66435CD
119	1 LOCARNO AVE	IN #118	25747CD
120	10 RENFREW AVE.	IN #118	178219CD
121	12 RENFREW AVE.	IN #118	68200CD
122	14 RENFREW AVE.	IN #118	232794CD
123	16 RENFREW AVE.	IN #118	256492CD
124	18 RENFREW AVE.	IN #118	232795CD
125	22 RENFREW AVE.	IN #118	192108CD
126	789 BEACH BLVD	050-513-021-70-0000	7558CD
127	809 BEACH BLVD	050-513-020-20-0000	149699CD
128	4 FIFTH AVE.	050-513-018-70-0000	102344CD
129	1 FIFTH AVE.	050-513-018-40-0000	127664CD
130	856 BEACH BLVD	050-512-058-00-0000	7558CD
131	882 BEACH BLVD	IN #130	104025CD
132	886 BEACH BLVD	IN #130	102933CD
133	894 BEACH BLVD	IN #130	102932CD
134	883 BEACH BLVD	050-513-014-80-0000	112468CD
135	920 BEACH BLVD	050-512-058-90-0000	213090CD
136	984 BEACH BLVD	050-512-062-80-0000	220057CD
137	991 BEACH BLVD	050-513-009-40-0000	94957CD
138	997 BEACH BLVD	IN #137	14703CD
139	1038 BEACH BLVD	050-512-065-20-0000	134560CD
140	1052 BEACH BLVD	050-512-065-80-0000	108091CD
141	1033 BEACHBLVD	050-513-007-00-0000	222872CD
	10 MANOR AVE.	IN #141	222872CD
142	1023 BEACH BLVD	IN #141	111783CD
143	1029 BEACH BLVD	IN #141	111782CD
144	1035 BEACH BLVD	IN #141	60327CD
145	1100 BEACH BLVD	050-512-067-00-0000	42515CD
146	1078 BEACH BLVD	IN #145	133421CD
147	1090 BEACH BLVD	IN #145	133421CD
148	1108 BEACH BLVD	IN #145	157456CD
149	1114 BEACH BLVD	IN #145	58193CD
150	1057 BEACH BLVD	050-513-005-50-0000	203628CD
151	1111 BEACH BLVD	050-513-003-40-0000	175303CD
152	1145 BEACH BLVD	050-513-001-90-0000	149694CD
153	6 MAREVE AVE.	050-514-027-40-0000	57969CD
154	8 MAREVE AVE.	IN #153	218947CD
155	10 MAREVE AVE.	IN #153	51401CD
156	5 NORTH PARK AVE	050-512-037-90-0000	46832CD
157	3 NORTH PARK AVE	IN #156	7558CD
158	951 BEACH BLVD	050-513-011-20-0000	7558CD
159	579 BEACH BLVD	050-513-035-80-0000	220069CD

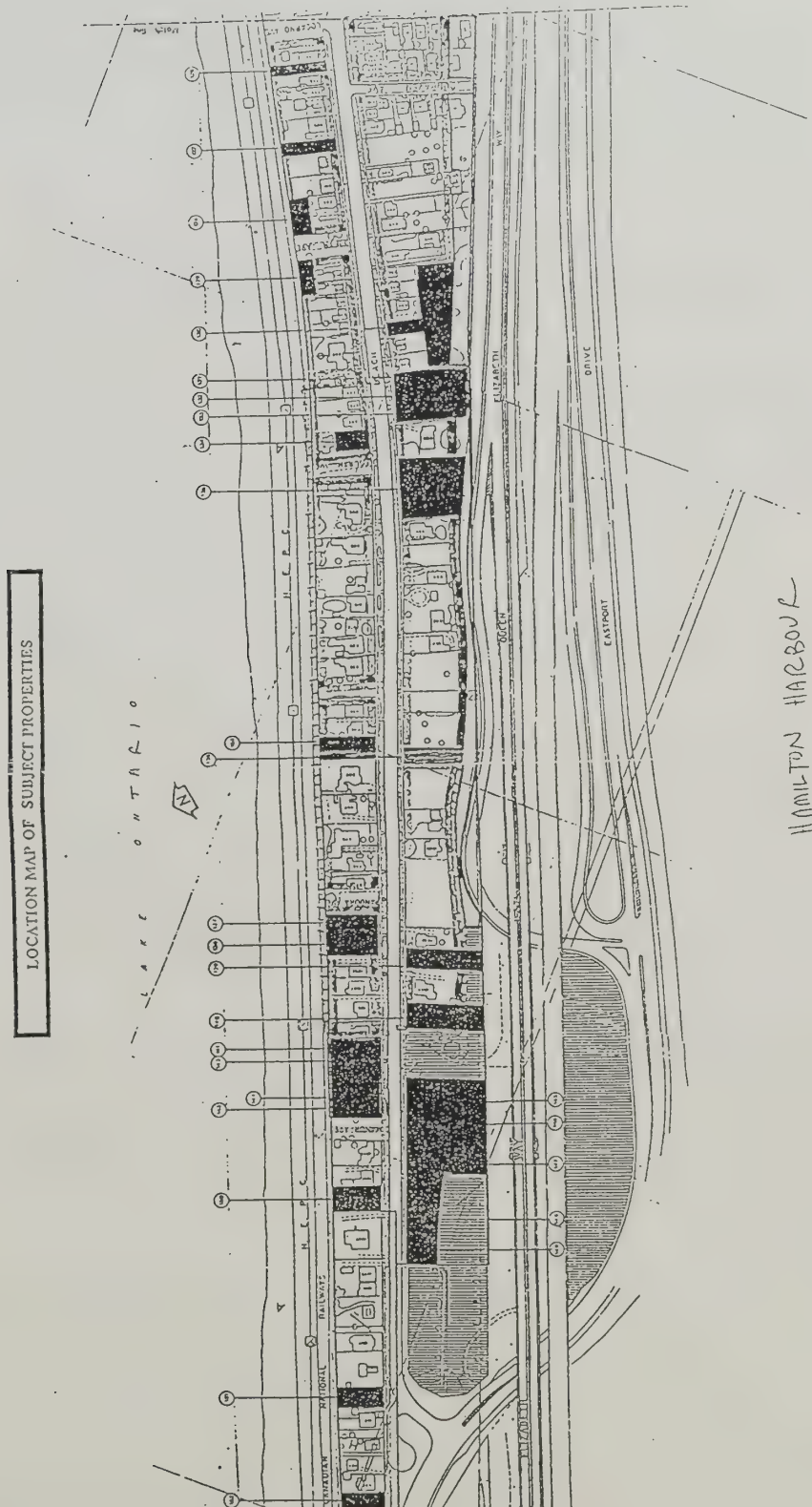
LOCATION MAP OF SUBJECT PROPERTIES



LOCATION MAP OF SUBJECT PROPERTIES







1997 December 11



Ministry of
Natural
Resources

Appendix "B" referred to in
Section 3 of the First
Report of the Committee
of the Whole

NOV 3 1997

97-02102-MIN

Mr. Robert M. Morrow
Mayor, City of Hamilton
and
Mr. Alan Stacey, Chairman
Hamilton Region Conservation Authority
P.O. Box 7099
838 Mineral Springs Road
Ancaster, Ontario
L9G 3L3

Dear Sirs:

Thank you for your letter, addressed to my predecessor the Hon. Chris Hodgson, requesting the approval of the Minister of Natural Resources for the recommended strategy outlined in the Hamilton Beach Project, July 1997.

I am very pleased that the work that has been undertaken over the past several years to resolve the issues surrounding the Hamilton Beach Strip has resulted in a proposal that will benefit all parties involved, and ultimately, both local residents and recreational users.

As you are aware, the Ministry's main concerns have focused on the disposition of Conservation Authority-owned land to which the province made a significant contribution during the original acquisition, and the future protection of properties along the Hamilton Beach Strip from potential flooding. The involvement of the Waterfront Regeneration Trust as a partner interested in developing the provincially significant waterfront trail through this area is also key to the success of this proposal.

I understand that the Waterfront Regeneration Trust is currently developing an agreement in co-operation with the City of Hamilton, the Hamilton Region Conservation Authority, and the Province to formalize the terms as outlined in the proposal. Furthermore, my staff are already involved in negotiations with the Conservation Authority regarding the disposition of Authority-owned land to the City, and the establishment of a capital reserve from the provincial share of the HRCA disposition, which will be administered by the Waterfront Regeneration Trust.

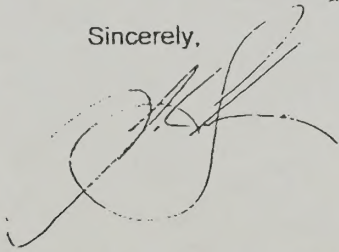
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1997 December 11

- 2 -

I am confident that continued co-operation among all parties involved will help move the project through to completion.

Sincerely,

A handwritten signature in dark ink, appearing to be 'John C. Snobelen', written over a series of horizontal lines.

Hon. John C. Snobelen
Minister

cc: Ms Lillian Ross, MPP
Hamilton West

Mr. David Christopherson, MPP
Hamilton Centre

Mr. Dominic Agostino, MPP
Hamilton East

Mr. Trevor Pettit, MPP
Hamilton Mountain

12/1/73

12/1/73

12/1/73

12/1/73

Dear Mr. [Name],
I am writing to you regarding the [Topic].
I am sure that you will find this information of interest.
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I am sure that you will find this information of interest.

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HAMILTON PUBLIC LIBRARY

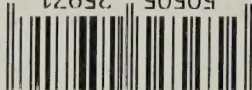


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